United Nations E/CN.15/2001/8

Economic and Social Council

Distr.: General
27 March 2001

Original: English

Commission on Crime Prevention and Criminal Justice
Tenth session
Vienna, 8-17 May 2001
Item 6 of the provisional agenda*
Work of the Centre for International Crime Prevention

Activities of the institutes comprising the United Nations Crime Prevention and Criminal Justice Programme network

Report of the Secretary-General

Summary

The present report was prepared by the Secretary-General pursuant to Economic and Social Council resolutions 1992/22, section IV, of 30 July 1992, 1994/21 of 25 July 1994 and 1999/23 of 28 July 1999, in which the Council requested the Secretary-General to coordinate and integrate the activities of the interregional, regional and associate institutes cooperating with the United Nations in the field of crime prevention and criminal justice. It highlights the research and technical assistance activities carried out in 1999 and 2000 by the United Nations interregional crime and justice research institutes, the affiliated regional institutes and the associate institutes and centres, all of which comprise the United Nations Crime Prevention and Criminal Justice Programme network. It also provides information on the activities of the International Scientific and Professional Advisory Council.

* E/CN.15/2001/1

V.01-82193 (E) 270401 300401

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I. Introduction

1. The present report has been prepared in accordance with Economic and Social Council resolutions 1992/22, section IV, of 30 July 1992, 1994/21 of 25 July 1994 and 1999/23 of 28 July 1999, with a view to facilitating the worldwide coordination of activities related to crime prevention and criminal justice. The report is based on contributions received from the institutes and centres concerned and on the report of the Fifteenth Joint Programme Coordination Meeting of the United Nations Crime Prevention and Criminal Justice Programme Network, held in Turin and Courmayeur, Italy, on 20 and 21 September 2000.

2. Joint work between the Centre for International Crime Prevention of the Office for Drug Control and Crime Prevention of the Secretariat and the Criminal Justice Programme network, in the framework of the existing mandates of the institutes, is of considerable importance in the pursuit of the global agenda in crime prevention and criminal justice. Close cooperation between the Centre and the institutes leads to the successful outcome of the workshops held within the framework of the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders held in Vienna from 10 to 17 April 2000.[1] The Centre for International Crime Prevention attended the coordination meeting of the network in Courmayeur, Italy. Bilaterally, the Centre reached agreements with several of the network members on collaborative activities, most notably with the United Nations Interregional Crime and Justice Research Institute (UNICRI) in the framework of the global programme against transnational organized crime, the global programme against trafficking in persons and the global programme against corruption, and with the Australian Institute of Criminology in a research project in the Philippines. The National Institute of Justice also takes part in the global study on organized crime coordinated by the Centre for International Crime Prevention. The report describes other instances of collaboration between the Centre network entities in research and operational activities. It is expected that such cooperation will be increased on the basis of specific agreements.

II. Activities of the United Nations Interregional Crime and Justice Research Institute

3. Since the majority of UNICRI activities combine research, meetings and publications, the present report is organized around the major topics arising from those activities.

A. Coordination with the Centre for International Crime Prevention and the Office for Drug Control and Crime Prevention and with other institutes of the Programme network

4. UNICRI participated in the eighth and ninth sessions of the Commission on Crime Prevention and Criminal Justice and organized and co-hosted with the International Scientific and Professional Advisory Council (ISPAC) the Fourteenth and Fifteenth Coordination Meetings held in Milan, Italy on 18 November 1999, in Turin, Italy on 20 September and in Courmayeur, Italy on 21 September 2000. On the occasion of the Tenth Congress, UNICRI organized, in cooperation with ISPAC, a workshop on combating corruption which was held from 10 to 11 April 2000, jointly with the European Institute for Crime Prevention and Control, affiliated with the United Nations, the Australian Institute of Criminology, the Latin American Institute for the Prevention of Crime and the Treatment of Offenders, the National Institute of Justice of the United States of America and the International Centre for Criminal Law Reform and Criminal Justice Policy. UNICRI participated in the organization of a workshop on women in criminal justice on 12 and 13 April 2000 and served as rapporteur for the topic entitled "Effective crime prevention: keeping pace with new developments".

B. Global programme against trafficking in persons

5. The Programme is being carried out in cooperation with the Centre for International Crime Prevention.

1. Research

6. Several projects started in 1999-2000, concerning coalitions against trafficking in human beings in the Philippines (also in cooperation with the Australian Institute of Criminology); trafficking in human beings in Benin, Nigeria and Togo; criminal justice responses to trafficking in human beings in the Czech Republic and Poland; and capacity-building in Brazil on trafficking in human beings. In each project, UNICRI is entrusted with the development of the research and assessment instruments and the supervision and coordination of assessment activities.

2. Meetings

7. An international conference entitled "New frontiers of crime: trafficking in human beings and new forms of slavery" was held in Verona, Italy in October 1999. Within the framework of the High-level Political Signing Conference for the United Nations Convention against Transnational Organized Crime held in Palermo, Italy from 12 to 15 December 2000, UNICRI organized jointly with the Office for Drug Control and Crime Prevention and ISPAC the Forum for Global Action against Trafficking in Persons held in Catania, Italy, in December 2000. Several project missions have been undertaken jointly with the Centre for International Crime Prevention.

C. Global programme against corruption

8. The global programme against corruption is being carried out in cooperation with the Centre for International Crime Prevention.

1. Research

9. Two country projects began in 1999-2000 concerning the assessment of corruption in Hungary, and support to the national anti-corruption strategy in Lebanon. In both projects, UNICRI is entrusted with the research and assessment component. UNICRI subcontracted and supervised the carrying out of country assessments in Hungary and Lebanon.

2. Meetings

10. A joint international conference involving UNICRI and ISPAC on "Responding to the challenges of corruption", was held in Milan, Italy on 19 and 20 November 1999. Several project missions have been undertaken jointly with the Centre for International Crime Prevention.

3. Publications

11. Responding to the Challenges of Corruption (UNICRI publication No. 63, 2000) was published during the reporting period.

D. Global study on illegal drug markets

Research

12. Reports were collected from 18 cities; consultations were organized in collaboration with the United Nations International Drug Control Programme or the United Nations Development Programme (UNDP) local offices; and an overall comparative report is to be finalized in 2001.

E. International crime victim survey

1. Research

13. Fully-fledged surveys were undertaken in 15 countries of central and eastern Europe and 7 developing countries (2000).

2. Meetings

14. Special sessions were held on the international crime victim survey at the X International Symposium on Victimology (Montreal, Canada, August 2000); there were round tables and seminars on the international crime victim survey in five countries of central and eastern Europe (2000); and there were a number of coordination meetings for the International Working Group (1999-2000).

3. Publications

15. *Surveying Crime: A Global Perspective* (ISTAT/UNICRI 2000) was published as well as several articles and reports on the issues mentioned above.

F. International crime business survey

Research

16. Development of the survey instrument and fully-fledged surveys in nine countries in central and eastern Europe were carried out in 2000.

G. Juvenile justice

1. Research

17. A project is in place on the involvement of Italian and foreign minors in drug abuse and illicit trafficking and their exploitation by criminal organizations. Preparations for a project on the programme of assistance in strengthening the children and youth's rights in Angola are under way and will be undertaken in 2001-2002.

2. Meetings

18. A number of meetings with consultants and local experts at UNICRI have been held.

H. World Organized Crime Report

Meetings

19. The first preparatory meeting for the *World Organized Crime Report* was held at UNICRI in September 2000. It was the first meeting held at the new premises of the Institute in Turin, Italy, and served as a first opportunity for the participation of local experts and practitioners.

III. Activities of the affiliated regional institutes

A. Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders

1. Training courses and seminars

20. The training activities of the Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders in the reporting period included the following:

(a) *Group training courses*. Between 1 January 1999 and 31 December 2000, the Asian and Far East Institute held six group training courses: the 111th international seminar, from January to February 1999, entitled "The role of police, prosecution and the judiciary in the changing society"; the 112th international training course, from April to July 1999, entitled "Participation of the public and victims for more fair and effective criminal justice administration"; the 113th international training course, from August to November 1999, entitled "The effective administration of criminal justice for the prevention of corrupt activities by public officials"; the 114th international seminar, from January to February 2000, on the theme "International cooperation to combat transnational organized crime—with special emphasis on mutual legal assistance and extradition"; the 115th international training course, from May to July 2000, on the theme "Current issues in correctional treatment and effective countermeasures"; and the 116th international training course, from August to November 2000, entitled "Effective methods to combat transnational organized crime in criminal justice processes". The training courses and seminars were attended by 156 participants representing 39 countries from Africa, Asia, eastern Europe, Latin America and the Pacific region. The Institute has been placing special emphasis on transnational organized crime since the 113th International Training Course, paying utmost attention to the priority themes identified by the Commission on Crime Prevention and Criminal Justice;

(b) *The fourth special training course on corruption control in criminal justice*. The Asia and Far East Institute held the fourth special training course entitled "Corruption control in criminal justice" in November 2000. In that course, 13 foreign officials who were engaged in corruption control made comparative analyses of the current situation with regard to corruption, methods of corruption prevention and measures to enhance international cooperation;

(c) *The first special training programme for Kenya on juvenile delinquent treatment systems*. The Asia and Far East Institute held the first special training programme for nine criminal justice officials from Kenya involved in the prevention of delinquency and the treatment of juvenile delinquents. The course, entitled "Juvenile delinquent treatment systems", was held in October 2000. The officials were exposed to

the workings of the juvenile justice and treatment systems in Japan through lectures and observation visits to relevant agencies;

(d) *The fourth and fifth special seminars for senior criminal justice officials of China*. The Asia and Far East Institute held two special seminars for senior criminal justice officials of China entitled "Rational structure of criminal justice and the relationship between the different agencies of criminal justice" in March 1999, and "Participation of the public and victims in criminal justice administration" in February to March 2000. In each seminar, 10 senior criminal justice officials and the Institute faculty discussed and compared contemporary problems faced by China and Japan in relation to the main themes.

2. Workshop on crimes related to the computer network

21. Within the framework of the Tenth Congress, the Asia and Far East Institute organized a workshop on crimes related to the computer network. In preparation, the Institute hosted two expert meetings entitled "Crimes related to the computer network" in October 1998 and 1999.

3. Research and publications

22. The Asia and Far East Institute issued publications, entitled *Adult Probation Profiles of Asia* in 1999 and *Institutional Treatment Profiles of Asia* in 2000. In addition, the Institute published a volume entitled *Crimes Related to the Computer Network—Challenges of the Twenty-first Century* as a reference source for the Tenth Congress workshop on that issue. Between 1999 and 2000, the Asia and Far East Institute issued the 54th and 55th editions of the series entitled *Resource Material*, which contained contributions by visiting experts and participants in the courses and seminars of the Institute.

4. Technical cooperation

23. The Asia and Far East Institute organized the following activities:

(a) *Joint seminars*. The Asia and Far East Institute held a joint seminar with Thailand in December 1999, with the main theme of "Community and victim involvement in criminal justice administration". In December 2000, the Institute held a joint seminar with Nepal, with the main theme of "Effective countermeasures to combat organized crime in criminal justice processes";

(b) *Regional training programmes*

(i) Thailand. The Asia and Far East Institute dispatched professors to Thailand to assist the Office of the Narcotics Control Board in organizing the seventh and eighth regional training courses on effective countermeasures against drug offences and the advancement of criminal justice administration in January 1999 and 2000;

(ii) Costa Rica. The Institute dispatched professors to Costa Rica to attend the first and second regional seminars on effective measures for the improvement of prison conditions and correctional programmes, which were organized and hosted by the Government of Costa Rica through the United Nations Latin American Institute for the Prevention of Crime and the Treatment of Offenders in August 1999 and July 2000.

5. Others

24. The Asia and Far East Institute dispatched professors to Kenya to assist the Children's Department of the Ministry of Home Affairs and National Heritage in 1999 and 2000, in a project to develop nationwide standards for the treatment of juvenile offenders.

B. Latin American Institute for the Prevention of Crime and the Treatment of Offenders

25. In the reporting period, the Latin American Institute focused its efforts on the topics below, which included research, technical assistance, training and publications at the regional and national levels. Related publications were displayed at the Tenth Congress.

1. Cooperation with the Centre for International Crime Prevention within the framework of the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders

26. The Latin American Institute collaborated with the Centre for International Crime Prevention and the Government of Costa Rica in the organization, hosting and substantive servicing of the Latin American and Caribbean Regional Preparatory Meeting for the Tenth Congress, held in San José, from 22 to 24 February 1999.

2. Juvenile justice

27. The Latin American Institute has continued to encourage the legal analysis of the legislation currently in force in each country of the region concerning minor offenders and their level of adjustment to the provisions of the Convention on the Rights of the Child and other related instruments. It has also proposed pertinent reforms to juvenile justice by conducting various projects in the region involving the organization of seminars and training activities, as follows:

(a) *Research and technical assistance*. Penal and alternative punishment for juveniles in Costa Rica (1999); imprisoned children and adolescents, with a special focus on their legal status and on the phenomenon of the increase of such populations in Central America, Argentina, Ecuador and Mexico (2000); study on the current situation of children and adolescents living with their parents in custody in the prisons of Ecuador (1999); legal and sociological assessment of the status of the juvenile justice systems and analysis of the legislation and its adjustment to the Convention on the Rights of the Child in Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Peru, Uruguay and Venezuela (2000); study and analysis of the status of national and local juvenile justice in Buenos Aires (2000); research on criminal responsibility of adolescents under the new Children and Adolescents Code of Bolivia (2000); comparative analysis of the merits, procedural and penalty application guarantees, with respect to Latin American legislation on the criminal liability of minors (2000);

(b) *Meetings and advisory services*. The projects mentioned above included more than 20 national and regional seminars and advisory services on juvenile justice and the United Nations Convention on the Rights of the Child that were delivered in Bogotá and Medellín, Colombia in 1999; Cochabamba, Bolivia in 2000; Buenos Aires in 2000; Brasília in 2000; Caracas and Mérida, Venezuela in 2000; Santa Cruz, Bolivia in 2000; Rancagua and Santiago, Chile in 2000; Arequipa, Lima, Piura and Trujillo, Peru in 2000. A regional conference on juvenile justice in the Southern Cone and Andean group countries was held in Buenos Aires in 2000. A training programme on juvenile justice for police officials of Panama and a training programme on theory and doctrine of juvenile penal justice for judges of Bolivia began during 1999-2000.

3. Penitentiary systems and alternatives to imprisonment

28. The Latin American Institute has continued to address the problem of overcrowding in prisons, in particular, the efforts that are intended to reduce the inmate population in the countries of the region through legal assistance, strengthening of the powers of the sentencing judge and the promotion of alternatives to imprisonment. The compilation and analysis of basic statistical information were also important endeavours during the period under review. Highlights include the following:

(a) *Research*. A study on the criminal justice system and human rights: the challenge of overcrowding in prisons included contributions from Argentina, Belize, Costa Rica, Cuba, Dominica, Ecuador, El Salvador, Guatemala, Guyana, Honduras, Jamaica, Mexico, Nicaragua, Panama, Saint Kitts and Nevis, Saint Lucia, St. Vincent and the Grenadines, Suriname and Trinidad and Tobago (2000);

(b) *Training*. The regional training programme on living conditions in prisons and its programmes for Latin America and the Caribbean (1999-2003) were implemented by the Latin American Institute in close collaboration with the Asia and Far East Institute. Eighteen officials from Mexico and Central America attended the first course, held in July 1999. The second course was attended by 17 officials from Argentina, Brazil, Chile, Ecuador, Mexico, Panama, Paraguay, Venezuela and Uruguay in July 2000.

4. Public defence

29. As a result of the public defence training and technical assistance programme of the Latin American

Institute, more than 2,000 prisoners were released in Ecuador in 1999. It is planned to extend the programme to Honduras.

5. Crime prevention and control

30. The crime prevention and control programme is intended to contribute to the development of broader strategies on the prevention of crime from the perspective of human security:

(a) *Research*. In December 1999, a comparative study entitled Crime and Security of the Inhabitants was concluded in eight countries in Latin America: Argentina, Belize, Costa Rica, El Salvador, Guatemala, Honduras, Mexico and Nicaragua;

(b) *Meetings*. Jointly with the International Centre for criminal Law Reform and Criminal Justice Policy, the United Nations Latin American Institute for the Prevention of Crime and the Treatment of Offenders conducted a hemispheric seminar on the theme of drugs and human security, held in Costa Rica in March 1999, with the attendance of more than 90 government experts and officials, to discuss the phenomenon and draw up action guidelines.

6. Women in the criminal justice system

31. The Latin American Institute continued implementing its women, gender and justice programme to enhance the eradication of any type of discrimination against women in the criminal justice administration system. Some of the activities undertaken by the Institute include the following:

(a) *Research*. Assessment of the inter-generic relations in law schools and the incorporation of a gender perspective in the instruction of law in law schools involving Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama (1999-2000); assessment of the legal formation programmes of schools and judicial training units of judicial systems and the incorporation of a gender perspective based on juridical phenomenon analysis, involving Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama (1999-2000); jointly with the International Centre for Criminal Law Reform and Criminal Justice Policy, the Latin American Institute conducted a survey reviewing the progress made in the implementation of the Convention of Belém do Pará in 28 countries of Latin America and the Caribbean. The countries covered by the Institute were Brazil, Chile, Costa Rica, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay and Peru. The survey was completed in November 2000; another survey assessing the human rights of women in Latin America and the Caribbean was undertaken. The survey covered 28 countries and contributed to the analysis on the human rights of women in the region and allowed for the development of guidelines for the women's movement in Latin America working in world conferences on human rights, population, social development and women. The guidelines had great influence on the working groups for the Optional Protocol to the Convention against all Forms of Discrimination against Women (General Assembly resolution 54/4, annex) and the incorporation of a gender perspective in the Rome Statute of the International Criminal Court;

(b) *Training and technical assistance*. The Latin American Institute conducted or participated in more than 70 courses, seminars, conferences and workshops in Argentina, Austria, Bolivia, Brazil, Chile, China, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Italy, Mexico, Nicaragua, Panama, Paraguay, Peru, Sri Lanka, the United States of America, Uruguay and Venezuela. Those activities have been directed towards target groups, including legislators, government officials, judges, prosecutors, defenders, attorneys and academics. An outstanding activity was the first Latin American meeting of female justices of supreme courts held in Costa Rica in 2000.

7. Domestic violence

32. The Latin American Institute continued the implementation of its regional training programme against domestic violence to assist the Governments of the region through the sensitization and training of personnel with regard to issues such as justice, health and education. The following highlights activities of particular note:

(a) *Research*. The Concealed Side of Masculinity: A Treatment for Offenders (Costa Rica, 1999), targeted at penitentiary systems and therapists and Evaluation of the Results of the Police Training Programme Implemented in Guatemala (Guatemala, 2000);

(b) *Training*. Three courses on the theme of "Violence within the family" for 40 trainers of the Police Academy held in Guatemala in 1999. In addition, there was a regional forum on the theme of "Domestic violence, human rights and police practice" for high echelons of the police of Central America held in Guatemala in 1999, and of a training programme on the theme of "Education and training of therapists: treatment for victims and survivors of sexual abuse and incest, held in Costa Rica in 2000.

8. International criminal law

33. Through its programme on women, gender and justice, the Latin American Institute contributed to the debate on the structure and mandate of the International Criminal Court, participating in all six preparatory committees and the 1998 Rome Diplomatic Conference. It coordinated the women's caucus for gender justice in the International Criminal Court fostering the inclusion of a gender perspective in issues such as crimes against women and the Statute of the International Criminal Court. Furthermore, the programme coordinated the incorporation of rights for the victims with disabilities in the Rules of Evidence and Procedures.

34. Training and technical assistance activities included seminars and workshops on the ratification and implementation of the International Criminal Court Statute in Colombia, Costa Rica, Ecuador, El Salvador and Guatemala. It is anticipated that in 2001, further training and technical assistance activities in the Caribbean and Latin American countries will be undertaken jointly by the International Centre for Criminal Law Reform and Criminal Justice Policy and the Latin American Institute. For that purpose, the Latin American Institute has translated into Spanish the *International Criminal Court: Manual for the Ratification and Implementation of the Rome Statute* developed by the International Centre for Criminal Law Reform and Criminal Justice Policy and the International Centre for Human Rights and Democracy Development.

C. European Institute for Crime Prevention and Control, affiliated with the United Nations

35. During the reporting period, the European Institute for Crime Prevention and Control, affiliated with the United Nations, undertook several activities, summaries of which follow. As during the previous reporting period, 1999-2000, the European Institute has built on its cooperative partnerships with Member States, national academic and research institutes, major inter-governmental and non-governmental organizations, and individual experts. The particular focus of the activities of the European Institute at the turn of the millennium has been on three themes: organized crime, violence against women and the preparations for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, although other areas have also been touched upon.

36. The European Institute is financed by the Government of Finland. The Government of Sweden provides a significant contribution to support the activities of the Institute each fiscal year and funds for certain projects are received occasionally from other Governments.

37. The most significant activities of the European Institute during the reporting period have included the following:

(a) The European Institute was actively involved in the negotiation of the United Nations Convention against Transnational Organized Crime and the protocols thereto. A staff member of the European Institute was a member of the delegation of Finland throughout the negotiations. The negotiation process was reported to a wider audience through the *Newsletter* of the European Institute, and a regularly updated electronic version of the text of the draft convention appeared after each session of the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime on the web site of the European Institute;

(b) The European Institute, together with the Ministry of Justice of Finland, organized an expert seminar jointly between Finland and China on the theme of "Prevention of organized crime" in Helsinki in October 2000;

(c) An article on the potential for minimizing the risk of organized crime within the framework of profit-making activities through the utilization of anticipative methods was published by the European Institute in 1999;

(d) The European Institute published an article on the regulation of firearms in 1999. The article was later translated into French and published by the Groupe de recherche et d'information sur la paix et la sécurité (GRIP) in 2000;

(e) An article on drug offences in the global criminal justice system was also published by the European Institute in 2000;

(f) The European Institute, together with UNICRI and Statistics Canada, have launched the idea of an international survey on violence against women. The plan was introduced at the Tenth Congress and a pilot survey was conducted in early 2000 in Estonia. Funds for the planning stage of the project have been provided by the Ministry of Justice of Canada and further funding is being sought to carry out the survey;

(g) The Institute has previously organized two training courses on the theme of "Law enforcement officers on the prevention and control of violence against women", both of which were preceded by a seminar for decision makers. Negotiations with law enforcement authorities in Estonia have been carried out and a similar course will be held in early 2001 in Tallinn. The course is supported financially by the State Department of the United States;

(h) An article on compensation practices of member States of the European Union connected to crimes against women was published by the European Institute in 1999;

(i) The European Institute had the main organizational and substantive responsibility for one of the four workshops at the Tenth Congress concerning the role of women in the criminal justice system. The work was carried out in close cooperation with other institutes in the United Nations Crime Prevention and Criminal Justice Programme network. The materials and proceedings of the workshop were due to be published by the European Institute in early 2001;

(j) The proceedings of the Sixth European Colloquium organized by the European Institute in 1998 on the themes of the workshops of the Tenth Congress were published in 1999;

(k) Following needs assessments in the field of the computerization of criminal justice systems in Bulgaria and the Russian Federation, pilot projects comprising advisory services, training and provision of expertise and the development of computer-based case-tracking and management systems were launched in those countries in 1999. The project in the Russian Federation focused on the region of Tver and was successfully finalized at the end of 2000. The project in Bulgaria was prematurely terminated because of organizational problems;

(l) An updated version of the *Directory: Computerized Criminal Justice Information Systems* appeared in early 2001;

(m) The European Institute has again taken on responsibility for analysing responses from Europe and North America to the Sixth United Nations Survey of Crime Trends and Operations of Criminal Justice Systems. A group of international experts met in 2000 and the work is scheduled to be completed in 2001;

(n) A staff member of the European Institute was seconded for six weeks to the Centre for International Crime Prevention to continue work on the global analysis of the Sixth United Nations Survey;

(o) Two external experts have undertaken research to assess the effectiveness of international technical assistance programmes in the field of crime prevention and criminal justice. The study looks at assistance provided to law enforcement in Estonia from three donor countries and the report will appear in early 2001. The project was financed by the United States State Department;

(p) In accordance with Economic and Social Council resolution 1995/12 of 24 July 1995, the European Institute has established a database on international technical cooperation projects in the field of crime prevention and criminal justice. The database has been made available with certain restrictions and through free access to the Internet. In addition, in its resolution 1999/24 of 25 July 1994, the Council recommend that possibilities be explored of expanding that pilot project as a standing activity, with global applicability. A report on the use of the database is before the Commission on Crime Prevention and

Criminal Justice (E/CN.15/2001/7). The project was funded by the United States State Department;

(q) In 2000, the European Institute initiated a project on the prison situation in countries of central and eastern Europe. The project is a follow-up activity to a study undertaken by the European Institute in 1995 that looked at possible changes in legislation, the state of progress with regard to quality in adherence to the Standard Minimum Rules for the Treatment of Prisoners[2] and the European Prison Rules, the most pressing current concerns and the extent, nature of and need for foreign technical assistance. The project received financial support from the Home Office of the United Kingdom of Great Britain and Northern Ireland;

(r) Complementing the study on prisons, a pilot study was initiated in 2000 to examine health care in prisons in central and eastern Europe;

(s) In 1999, the European Institute, together with the Finnish Police College, organized the fifth biennial meeting of the World Criminal Justice Library Network in Finland on the theme of "Organized crime in the information age";

(t) Profiles of the criminal justice systems of Greece, Italy and Lithuania appeared in a publication series of the European Institute;

(u) The European Institute granted four short-term scholarships in 1999 and five in 2000. Six scholarships have been granted for 2001.

D. African Institute for the Prevention of Crime and the Treatment of Offenders

38. During the reporting period, the activities of the African Institute for the Prevention of Crime and the Treatment of Offenders included the following:

(a) The African Institute undertook a survey on extradition and mutual legal assistance in Africa, a project funded by the United States State Department. The survey was conducted with a view to collecting information on existing extradition and mutual assistance arrangements of the States of Africa. Two draft conventions were discussed and approved in Cairo in November 1999 and drafts were presented to the Organization of African Unity (OAU) in Lomé in July 2000. It is hoped that the draft conventions will be approved by Heads of State in July 2001;

(b) The African Institute has also undertaken a project that deals with trafficking in firearms. A meeting was organized for representatives of Africa in Kampala on illegal trafficking in firearms and its effects on crime rates in Africa. The African Institute continued working on the project by designing a questionnaire dealing with all firearms issues that was sent to all countries in Africa. A database will be created based on the survey results, which were presented and discussed at a meeting held in November 2000. An agreement has been reached with the Governments of African States to establish a centre at the African Institute to continue monitoring and collecting data.

IV. Activities of the associated institutes

A. Australian Institute of Criminology

39. The Australian Institute of Criminology has four research programmes, each programme made up of teams assigned to areas of research. During the reporting period, the Australian Institute produced numerous books and articles. Since January 1999, it has published 100 reports in the Trends and Issues series and 20 monographs in the Research and Public Policy series on topics related to each programme. A full list can be obtained from the Australian Institute's web site and the Trends and Issues papers are on the web site in full. The web site will soon be launching, on behalf of the Campbell Collaboration, an evidence-based compilation of crime prevention programmes. Details of the programmes are as follows:

(a) The sophisticated crime programme focuses on electronic theft, fraud studies, customs fraud, environmental crime and trafficking in people;

(b) The violence and property crime programme is concerned with homicide monitoring, firearms and dangerous weapons monitoring, crimes against business, gangs and crime prevention;

(c) The crime analysis and modelling programme is devoted to data analysis, hot-spot monitoring, drug-market modelling, justice system modelling, modelling survey data and evaluation studies;

(d) The public policy programme is subdivided into several subprogrammes: the drugs monitoring team, which focuses on drug-use monitoring in Australia, drugs and property crime, and compiles a national-offender database; the drugs evaluation team, which is responsible for an illicit drugs reporting system, a national diversionary schemes database and Operation Mantle; subprogrammes in corrections and deaths in custody; and the crime and vulnerable populations subprogramme, which concentrates primarily on women, children and the elderly, as well as victims studies.

40. Within the framework of the global programme against trafficking in persons, the Australian Institute cooperated with the Centre for International Crime Prevention and UNICRI in carrying out a project entitled "Coalitions against trafficking in human beings in the Philippines", by making available the services of a staff member to participate in the assessment component in 1999-2000.

41. In 2001, the Australian Institute will be strengthening its activities in criminological and criminal justice system training and looking to collaborate with other institutes. In addition, new emphasis is being placed on programme evaluation and again cooperation with other institutes will be sought.

B. International Centre for Criminal Law Reform and Criminal Justice Policy

42. During the reporting period, the International Centre for Criminal Law Reform and Criminal Justice Policy conducted many projects and other activities in cooperation with other institutes of the Programme network and actively sought to expand such partnerships. Its activities included the following during that period:

(a) 2000 was a year of review and evaluation for the International Centre. A programme of work for the next five years was approved. With respect to United Nations-related work, the International Centre intends to support, to the extent possible, the specific aspects of the common priorities, in particular trafficking in human beings and the implementation of the protocol through research and technical assistance. The scope and shape of the project will depend on support provided by the Government of Canada;

(b) Within the broader context of the United Nations global programme on money-laundering and the agenda of the Asia Pacific Group on Money Laundering, the International Centre is conducting a project entitled "Money-laundering in Asia and the Pacific". The first phase has been completed and five research papers have been prepared as a part of the report of the Legal Working Group of the Asia Pacific Group on Money Laundering. A regional workshop on mutual legal assistance for legal officers and prosecutors is planned for the Asia and Pacific region in early summer 2001. The International Centre is working in cooperation with the Asia Pacific Group on Money Laundering and with the International Association of Prosecutors on the planning of that event. The project is supported by both the United States Secretary of State and the Government of Canada;

(c) A project entitled "Protection of children—model guidelines for prosecution of crime against children" was developed by the International Centre in cooperation with the International Association of Prosecutors and with the financial assistance of the International Society for the Reform of Criminal Law. The project involved preparing a revised draft of model guidelines for the effective prosecution of crimes against children, which was presented at the International Association of Prosecutors in Beijing in September 1999. The International Centre also assisted the International Association of Prosecutors in the development of a plan focusing on the distribution of the guidelines and the provision of training sessions. The International Centre would consider extending its partnership to include other member institutes of the Programme network in research and analysis, before drafting the guidelines. It is seeking cooperation from other member institutes of the Programme network, for which there may be limited financial assistance to assist in a part of the project. Funding for the project has come from various sources;

(d) The project entitled "Thailand child abuse investigation and care" is an ongoing multidisciplinary project, to be completed during 2001. It deals with the treatment and protection of children as victims and witnesses within the judicial system of Thailand. Successful completion of the project is expected to produce an effective model that is intended for replication throughout Thailand and possibly other countries in Asia;

(e) In partnership with the Latin American Institute and the Inter-American Commission of Women and the Organization of American States (OAS), the International Centre conducted a review of the progress made in the implementation of the Convention of Belém do Pará in selected countries during the five years following its adoption by the General Assembly of OAS. The review assessed the continued efforts to affirm and protect women's human rights and denounce violence against women as a human rights violation. The review refers to both specific provisions of the Convention of Belém do Pará as well as the model crime prevention and criminal justice strategies adopted by the United Nations General Assembly to eliminate violence against women. The survey, which covered 28 countries, was completed in the summer of 2000 and the results were presented to the Inter-American Commission of Women in November 2000;

(f) The International Centre assisted the Canadian Institute for the Administration of Justice in the planning of the annual conference of the Canadian Institute on the theme of "Science, truth and justice", held in Victoria, Canada, in October 2000. A full session was dedicated to criminal law involving the Internet. A research proposal is being drafted for a programme of work to examine the impact of international criminal activity, through the use of the Internet and computers, on local and national systems;

(g) The International Centre, through its China Canada cooperation project, provides technical assistance to China in the reform of criminal law procedure, implementation of United Nations standards related to criminal law and justice, and implementation of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (General Assembly resolution 2200 A (XXI), annex). It is also maintaining an ongoing project with China in the area of corrections. Financial support is provided by the Canadian International Development Agency and the Ford Foundation;

(h) In the area of international criminal law, the International Centre continues to sustain efforts to support the creation of a permanent International Criminal Court. In 2000 and 2001, the International Centre produced *International Criminal Court: Manual for the Ratification and Implementation of the Rome Statute*, which is now available in English, French and Spanish. In 2001, with the assistance of the Canadian International Development Agency and the Department of Justice and the Department of Foreign Affairs for Canada, the International Centre is organizing a series of five regional training sessions to assist countries in developing legislation and administrative procedures to assist the International Criminal Court when it comes into existence. Regional training sessions have already taken place in the Cook Islands and Cameroon;

(i) Finally, the International Centre, through its ongoing work in the area of corrections, has promoted the implementation of human rights standards and principles, as well as other United Nations standards and norms in crime prevention and criminal justice, as they relate to corrections and the treatment of offenders. Projects remain ongoing or are currently under development in China and in parts of Africa and Latin America.

C. International Institute of Higher Studies in Criminal Sciences

43. During the reporting period, activities of the International Institute of Higher Studies in Criminal Sciences included:

(a) The International Conference on Lay Participation in the Criminal Trial in the Twenty-first Century, held in Siracusa, Italy, in May 1999 and attended by 52 participants and 18 speakers from 22 countries;

(b) A study seminar on strengthening investigation techniques against organized crime, attended by 25 public prosecutors and law enforcement officials from Albania, Poland, the Russian Federation and The former Yugoslav Republic of Macedonia. The seminar, organized in cooperation with the Council of Europe, the European Commission and the Ministry of Justice of Italy, was held in Siracusa, Italy, in June 1999;

(c) The third training seminar for 30 prosecutors from Egypt, on international cooperation in criminal matters, held in Siracusa, Italy, in June 1999. The seminar was organized with the support of the Ministry of Foreign Affairs of Italy and in collaboration with the Ministry of Justice of Egypt;

(d) An informal meeting of the Preparatory Commission for the Establishment of an International Criminal Court on Rules of Procedure and Evidence, held in Siracusa, Italy, in June 1999. The meeting was attended by 95 experts from 51 countries;

(e) Within the framework of the session of the Preparatory Commission for the Establishment of an International Criminal Court, held in July and August 1999, the International Institute organized two briefing sessions for official delegations on ratification and national implementation of the Statute of the International Criminal Court. The briefing sessions were each attended by 60 participants and 22 speakers from 40 countries and held in New York on 31 July and 7 August 1999;

(f) The third International Colloquium for Young Penalists on International Criminal Law in the Twenty-first Century, held in Siracusa, Italy, in September 1999 and attended by 96 participants and 19 panellists from 47 universities;

(g) The first training course for justice officials from Albania, held in Siracusa, Italy, in November and December 1999. The International Institute was requested by the Presidency of the Council of Ministers of Italy to organize, in collaboration with the Council of Europe and the European Police Office (Europol), a major technical assistance programme in support of the criminal justice system of Albania. The first training course was attended by 34 participants and 13 panellists;

(h) An informal meeting of the Preparatory Commission for the Establishment of an International Criminal Court on Elements of Crime, held in Siracusa, Italy, in January and February 2000. The meeting was attended by 114 experts from 60 countries and was organized in collaboration with the Ministry of Foreign Affairs of Italy;

(i) The second and third training courses for Justice Officials from Albania, held in Siracusa, Italy, in January to February and in March 2000. The second course was attended by 29 participants and 15 panellists, while the third was attended by 37 participants and 14 panellists;

(j) A seminar on the problem of terrorism and the application of the Arab Convention against Terrorism, held in Siracusa, Italy, in June 2000 and attended by 35 participants and 8 speakers from 15 countries;

(k) The fourth training seminar for 31 prosecutors from Egypt on international cooperation in criminal matters, held in Siracusa, Italy, in June 2000. The seminar was organized with the support of the Ministry of Justice and the Ministry of Foreign Affairs of Italy and in collaboration with the Office of the General Prosecutor of Egypt;

(l) The International Institute participated in the third workshop of the "Joint European Project against Organized Crime—Falcone Programme", held in Madrid from 15 to 18 June 2000;

(m) The preparatory meeting of the Presidents and Rapporteurs Généraux of the XVII International Congress of Penal Law (Beijing, 2004), organized in Siracusa, Italy, on 8 December 2000 in collaboration with the International Association of Penal Law;

(n) In collaboration with the Commissioner for Human Rights of the Council of Europe, the International Institute organized an international seminar on the role of monotheist religions in the prevention of armed conflicts, held in Siracusa, Italy, in December 2000 and attended by 22 experts from 12 countries;

(o) In addition to the above programmes, in 1999 and 2000, the International Institute was involved in the work of the Ad Hoc Committee for the Elaboration of a Convention against Transnational Organized Crime and attended all the sessions of the Ad Hoc Committee and the High-level Political Signing Conference, held in Palermo, Italy, from 12 to 15 December 2000. The International Institute is expected to participate in the follow-up envisaged to ensure implementation of the Convention;

(p) Publications issued by the International Institute during the reporting period included volume 71, nos. 1-2 (2000), of the *International Review of Penal Law* on "International Criminal Court: ratification and national implementing legislation" (in English, French and Spanish) and the proceedings of the International Conference on Lay Participation in the Criminal Trial in the Twenty-first Century (Nouvelles études pénales, n. 19).

D. Naif Arab Academy for Security Sciences

44. The annual work programme of the Naif Arab Academy for Security Sciences for the year 2001 is designed to reflect the objectives set by the Arab Academy, which are geared to meet the requirements of the Arab Crime Prevention and Criminal Justice Programmes, Plans and Strategies. The time schedule of the work programme aims at carrying out the planned activities accurately and promptly in order to secure the participation of all Arab countries. The following is an outline of the work programme for the year 2001. It will be carried out by the specialized institutes of the Arab Academy, as follows:

(a) The Institute of Graduate Studies grants the following degrees: Diploma, Master and Ph.D. in courses such as police sciences, criminal justice and social sciences;

(b) The Training Institute offers training courses and seminars in the field of juvenile justice, organized crime, money-laundering, drug-related crimes, environmental crimes and other forensic courses such as gunshot residue analysis;

(c) The Studies and Research Centre conducts activities such as the following studies and research: security of documents and data; the future of terrorism in the twenty-first century; awareness programmes aimed at forming a public opinion against crime; the factors leading to drug addiction in Arab countries; measures to evaluate training and educational procedures; child labour and how it is related to deviance. The Studies and Research Centre also publishes a number of selected titles, two issues of the *Arab Journal for Security Sciences and Training* and 12 issues of *Al-Amn wa Al-Hayat* (Security and life magazine).

E. National Institute of Justice of the United States Department of Justice

45. The National Institute of Justice is currently carrying out research for which approximately $150 million are available. Many of its projects do not as yet have a coordinated international approach, for example, the project on crime and justice 2000, which includes four volumes of papers written by experts in their field of knowledge from various countries (four of its chapters deal with global issues). Copies of the publication are available or will be made available electronically.

46. Over a six-year period, the United States has invested approximately $9 billion for community policing. As a result, the Institute was asked to administer an independent evaluation of the community-oriented policing services programme and has recently submitted an evaluation report on community policing and on the different responses of the community. The Institute has also worked in cooperation with the Office of National Drug Control Policy on a demonstration project in cities on how to deal with the drug problem. The research includes an evaluation component and a report is available on how the strategy works.

47. The Institute has undertaken an arrestee drug monitoring programme that has transformed and expanded the former drug use forecasting programme, during which booked arrestees were interviewed and drug-tested at various sites nationwide. The arrestee drug monitoring programme provides programme planning that can be used to conduct local research and evaluation projects and to inform local policy decisions about drug abuse. It is now in place in 35 sites and, pending increased funding, will expand to encompass 75 cities.

48. During the reporting period, the Institute carried out the following international projects and programmes:

(a) The international arrestee drug abuse monitoring programme is an outgrowth of the domestic research programme and has developed into a research partnership among criminal justice organizations around the world. Using standardized drug-testing methodologies and predictive models that have been perfected in the United States by the arrestee drug abuse monitoring programme, the international arrestee drug abuse monitoring programme is one of the only international drug prevalence measures that articulates the consequences of drug abuse within and across national boundaries. The international arrestee drug abuse monitoring programme currently has testing sites in Australia, Chile, Malaysia, the Netherlands, South Africa and the United Kingdom. Testing sites in Taiwan Province of China are scheduled to begin operation in the near future;

(b) The United States-Ukraine partnership is a project that supports researchers from Ukraine and the United States who are collaborating on joint studies of organized crime, drug trafficking and human trafficking in Ukraine. The project also assesses law enforcement training of Ukrainians by Americans and is building Internet connectivity among researchers and practitioners from both countries. The results of the research partnership are expected by the end of next year;

(c) A project entitled "International challenge grants" whose goals are to support and encourage cross-national and inter-agency partnerships devoted to producing and utilizing comparative research on crime and to answer key research questions on crime and the administration of justice that are important to both American and other researchers, practitioners and policy makers. The programme challenges researchers from the United States to seek counterparts in other countries to conduct joint comparative studies. Current international challenge grant projects include: research into the structure and operations of China-based smuggling of migrants, through interviews with New York City law enforcement groups and smugglers in Fuzhou, China; a comparative study of juvenile justice processing in Bremen, Germany and Denver, United States and its impact on criminal career trajectories; and research into the extent, nature and causes of sexual exploitation of and trafficking in children to Canada, Mexico and the United States;

(d) The Moldova Project. The Institute will provide technical support for a project in the Republic of Moldova administered by the International Criminal Investigative Technical Assistance Program of the Criminal Division of the Department of Justice. High-technology platforms using the Internet will be set up at the Moldovan National Police Academy and National Police College in Chisinau. The Institute will also evaluate the training programmes using the new facilities at those sites;

(e) The Institute will soon introduce its new international criminal justice monograph series dealing with international criminal justice topics, *Issues in International Crime*. The first issue discusses crime, criminal justice and criminology in post-Soviet Ukraine. Forthcoming issues will examine Russian organized crime; organized crime and the shadow economy in the Russian Federation; and the democratization of police forces in emerging democracies.

F. Raoul Wallenberg Institute of Human Rights and Humanitarian Law

49. The Raoul Wallenberg Institute of Human Rights and Humanitarian Law is an academic institution based at the University of Lund, Sweden. The purpose of the Institute is to promote research, training and academic education in the field of human rights law, refugee law, humanitarian law, intellectual property rights, international labour standards and international criminal law as set forth in instruments adopted under the auspices of international and regional intergovernmental organizations. The objective is realized by initiating, developing and supporting activities in those fields.

50. The list of activities organized by the Institute in 1999 and 2000 is extensive, therefore only some activities within the mandate of the Centre for International Crime Prevention are highlighted here. A detailed description of the activities of the Institute, and dates and venues of different activities such as training programmes may be found on the web site of the Institute (http://www.rwi.lu.se).

(a) *Research*. During the reporting period, the Raoul Wallenberg Institute and the Danish Centre for Human Rights organized a series of meetings with researchers examining the links between good governance and human rights, between transparency and freedom of information and between anti-corruption efforts and equal rights. The results of those deliberations will be presented in a book edited by Hans-Otto Sano and Gudmunder Alfredsson, to be published by Kluwer Law International in 2001;

(b) *Technical cooperation*. With funding from the Swedish International Development Cooperation Agency, the European Union and other sources, the Institute continued to organize academic programmes and institutional capacity-building for the dissemination of human rights standards and democratic values in developing countries and countries with economies in transition. A summary of such activities follows:

(i) Training programmes. The Institute continued its in-country training programmes on human rights standards and democratic values for

developing countries and countries with economies in transition. Those programmes, which concentrate on long-term commitments, both in terms of financial implications and programme development, have to a large extent focused on human rights in the administration of justice. Training in human rights for police and prison officers, prosecutors, magistrates and judges and other officials involved in the administration of justice forms an important part of the programme. The programmes for institutions in the field of administration of justice are normally carried out in direct cooperation with the respective ministries of justice or the interior. The focus is on the dissemination of United Nations standards and norms, leaving to local and regional partners the development of such standards and norms in the specific context of the particular national system. The countries and territories covered in 1999 and 2000 were China, Ethiopia, Georgia, Indonesia, Kenya, Palestine, South Africa, Uganda, Viet Nam, Zambia and Zimbabwe;

(ii) Academic programmes. In addition, the Institute has been organizing advanced academic programmes in human rights for senior government officials, academics and representatives from non-governmental organizations at its premises in Lund, Sweden. Such courses last five weeks, with participants from countries and territories all over the world. Similar courses have, during the time period covered by the present report, also been organized on a bilateral basis for representatives of the criminal justice systems in China, Ethiopia, Kenya and Palestine. Those courses focused mainly on human rights in the administration of justice and included theoretical training as well as practical elements, such as study visits to Swedish criminal justice institutions;

(iii) Support to documentation centres. Since 1991, the Institute has contributed to the establishment of human rights documentation centres at academic institutions and governmental and non-governmental organizations. In 1999 and 2000, agreements for the supply of human rights literature to documentation centres were signed with the following criminal justice institutions: the Regional Justice Bureau of the Regional Supreme Court in Bahir Dar, Ethiopia; the International Criminal Tribunal for Rwanda in Arusha; and the National Prosecuting Authority at the Justice College of South Africa;

(iv) Institutional support. From 1993 to 1999, the Raoul Wallenberg Institute supported activities carried out by the Community Peace Programme at the University of the Western Cape in South Africa. The Community Peace Programme works in close cooperation with the Ministry of Justice and the Ministry of Safety and Security in training and research projects aimed at establishing a dialogue between the criminal justice system and the community. Training in community policing, the production of manuals for lay assessors and the development of crime prevention strategies and alternative models for conflict resolutions are examples of activities carried out by the Community Peace Programme;

(v) Since 1999, the Raoul Wallenberg Institute has been a partner to the United Nations Development Programme project aimed at strengthening the capacity of the Public Defender's Office in Georgia. Within the framework of the project, the Institute has contributed substantial support in the form of literature and computers to the Public Defender's Office. The Institute has also organized training courses in human rights and contributed to the translation into Georgian of a compilation of human rights standards;

(vi) In 2000, the Institute signed an agreement on institutional support with the Southern African Human Rights Trust, a regional non-governmental organization based in Harare. The objective of the Trust is to promote human rights and good governance in southern Africa, through training and research on issues such as human rights in the administration of justice;

(c) *Conferences and meetings*. During 1999 and 2000 the Institute participated in and organized the following expert meetings and seminars:

(i) On 8 May 1999, an expert meeting convened in Lund, Sweden, under the auspices of the Foundation on Inter-Ethnic Relations in The Hague and the Institute, adopted the Lund Recommendations dealing with the political rights of minorities;

(ii) On 27 and 28 May 1999, the United Nations Secretary-General visited Lund, Sweden, in order to receive an honorary doctorate from the Faculty of Law at Lund University. He also visited the Raoul Wallenberg Institute and met with students of the Law Faculty and the Institute;

(iii) In June 1999, the Institute, in cooperation with the Asia-Europe Foundation and the Ministry for Foreign Affairs of France, organized the second informal Asia-Europe Meeting (ASEM) seminar on human rights, which took place in Beijing. The purpose of the seminar was to improve the dialogue between Asia and Europe in the field of human rights and the rule of law in an informal and non-confrontational manner;

(iv) In December 1999, the Ministry for Foreign Affairs of Sweden and the Institute organized a symposium in Lund, Sweden, on conflict prevention in order to honour the work of Max van der Stoel, the High Commissioner on National Minorities of the Organization of Security and Cooperation in Europe;

(v) From 19 to 21 June 2000, the Institute helped organize the third informal ASEM seminar, which took place in Paris;

(d) *Publications*. A large number of publications were produced during 1999 and 2000, a selection of which follows. Further information is available at (http://www.rwi.lu.se):

(i) Raoul Wallenberg Report Series, ISSN 0283-085X. Report No. 28: *Human Rights Policing for Station Commissioners, A Review of Training for the South African Police Service—Northern Province, 1996-1997* (1999); Report No. 29: *Human Rights Training for the South African Provincial Administration. An Evaluation of Training for Administration of Justice Officials, Thaba Nchu, the Free State, 10-14 March 1997* (1999); Report No. 30: *Second Informal ASEM Seminar on Human Rights, Beijing, 27-29 June 1999* (1999); Report No. 31: *Health Gaps and Migratory Movements* (2000); and Report No. 32: *Human Rights Training Materials, a Bibliographical Overview of Existing Human Rights Teaching and Training Materials* (2000);

(ii) The Raoul Wallenberg Institute Series of Intergovernmental Human Rights Documentation. Volume I: *Concluding Observations of the UN Committee on the Rights of the Child: Third to Seventeenth Sessions (1993-1998)*, Martinus Nijhoff, 2000, ISBN 90-411-1307-X; volume II: *Conclusions and Recommendations of the UN Committee against Torture: Eleventh to Twenty-second Sessions (1993-1999)*, Martinus Nijhoff, 2000, ISBN 90-411-1379-7.

G. International Centre for the Prevention of Crime

51. The reporting period has been a productive one for the International Centre for the Prevention of Crime, as well as one of change, renewal and reorganization. The overall vision and mission of the International Centre for the Prevention of Crime has been renewed, with emphasis on facilitating international dialogue and analysis and promoting strategic and technical assistance, and the web site of the International Centre has been expanded. Plans for a three-year programme of work are currently being completed, work is continuing on strengthening collaborative links and working methods and further development of the web site is being undertaken. An outline of the various activities follows:

(a) *Exchange of expertise*. There were several opportunities for the exchange of expertise between subject specialists representing a variety of organizations:

(i) The anniversary conference on the theme of "Harnessing what works" in October 1999 brought together representatives of 160 Governments, police and local government leaders, researchers and crime prevention specialists to discuss how to capitalize on the accumulating knowledge about crime prevention;

(ii) In December 1999, the second seminar on the role of the police in crime prevention, which forms part of the programme on skill and expertise sharing, took place in Coventry, United Kingdom, and was attended by 90 participants. The third seminar in the series is scheduled to take place in September 2001 in Washington, D.C.;

(iii) The International Centre wrote the background paper and organized the workshop on community involvement in crime prevention for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Vienna in April 2000;

(iv) A seminar attended by 60 city and police leaders from countries in western Africa was organized in Barmako in June 2000. It focused on developing urban safety and crime prevention through partnerships between the police and local authorities;

(v) In August 2000, the International Centre was actively involved in the organization of the Tenth International Victimology Symposium, in Montreal, Canada, and presented a workshop on making the case for the prevention of victimization and crime;

(b) *Publications*. Several reports and monographs were completed, as follows:

(i) *Crime Prevention Digest II: Comparative Analysis of Successful Community Safety* and *100 Crime Prevention Programs to Inspire Action Across the World* (1999) are both available in English and French, and Spanish versions will be completed shortly. Other reports include *Six Safer Cities on the Crest of the Wave of Crime Prevention*, produced for the National Crime Prevention Council of the United States. *Making the Case for Crime Prevention* was published by the Bureau of Justice Assistance of the United States Department of Justice in 2000, in its International Crime Prevention Series;

(ii) In 2000, a series of monographs was completed that focused on a closer international look at specific issues or techniques for effective intervention. The first four in the series will be published in 2001 by the Department of Justice of Canada and the final two will be published by the United States Bureau of Justice Assistance, also in 2001. The monographs include: *Community Safety Diagnosis: Mobilizing Knowledge and Action*; *The Benefits of Crime Prevention for Victims: Effective Action to Tackle Repeat Victimization*; *Reducing and Preventing Residential Burglary and Home Invasions*; *Investing in Youth 12-18: International Approaches to Preventing Crime and Victimization*; *The Role of Local Government in Community Safety*; *Promoting Safety in Schools: International Experience and Action*;

(iii) The reports mentioned will be available in English from the United States Bureau of Justice Assistance, and in English and French from the National Crime Prevention Centre, Canada (www.crime-prevention.org). Summary versions will also be available. Copies will be available in both languages on the International Centre for the Prevention of Crime web site in 2001 (www.crime-prevention-intl.org). Other recent publications in English and French include the *Compendium of Best Police Practice in Crime Prevention* and the *Report on the Second Police Seminar*;

(c) *Strategic assistance*. In the reporting period, strategic assistance included a one-year pilot project on the theme of an "Observatory on urban safety and social problems" in Montreal, Canada, which is intended to provide a model for transfer to other cities and municipalities; the start of a three-year project, involving member countries on the Advisory and Policy Board of the International Centre, examining international approaches to the evaluation of crime prevention practice; the development of a tool-kit for municipalities in Canada, in collaboration with the Foundation Dr. Philippe Pinel; and support to the Province of Quebec on the development of its policies on community policing and crime prevention;

(d) *Technical assistance*. Work included, in partnership with the United Nations Centre for Human Settlements (Habitat), continuation of support to Safer Cities Programmes in Abidjan, Dar es Salaam and in Durban and Johannesburg, South Africa. Other work has included invited missions to Chile, Colombia, Hungary and Mexico to discuss the development of crime prevention strategies and future cooperation.

52. Further information on all activities of the International Centre can be found on the web site (www.crime-prevention-intl.org).

V. Activities of the International Scientific and Professional Advisory Council

53. In 1999 and 2000, the International Scientific and Professional Advisory Council continued the implementation of its mandates in line with the overall programme directives and priorities. To date, the Advisory Council has decided to concentrate on the topics of organized crime, corruption, trafficking in persons and terrorism. In that framework, a symposium on the United Nations Convention against Transnational Organized Crime was held in Rome in February 1999 at the Senate of Italy, in cooperation with the United Nations Office for Drug Control and Crime Prevention. The symposium aimed at promoting more effective national legislation and improved international cooperation in order to cope with organized crime and to harmonize the regulations of States. The symposium brought together policy makers from all over the world, thus fostering the exchange of knowledge and experiences in view of the adoption of the advocated United Nations Convention against Transnational Organized Crime. The symposium also concentrated on the three protocols to the Convention, which will introduce modern and effective regulations for illegal migrations, illegal trafficking in firearms and trafficking in women and children.

54. Continuing to focus on major issues facing the world community, the Advisory Council chose as the topic of its 1999 International Conference, held from 19 to 20 November 1999, "Responding to the challenges of corruption". The Conference was held in Milan, Italy, and was jointly organized with the United Nations Office for Drug Control and Crime Prevention and UNICRI, under the auspices of the Ministry of Justice and the Ministry of the Interior of Italy. The goals of the Conference were both to enhance coordination and international cooperation in the various anti-corruption activities, including assistance to parliaments, for the drafting of legislation and technical cooperation projects, and to identify problems related to corruption and their effects on good governance, with particular attention to the impact on economic and institutional stability in developing countries and countries in transition. The Conference thus provided an opportunity to exchange information and up-to-date knowledge among experts from all over the world working on a specific field of research, as well as representatives of bodies of the United Nations system, non-governmental organizations, the judiciary and policy makers.

55. Because of the complexity of the phenomenon, the approach adopted took into due consideration the political, judicial and economic aspects through an in-depth examination of the initiatives taken at the international level in the fight against corruption. The International Scientific and Professional Advisory Council, jointly with UNICRI, has published the Conference proceedings (UNICRI publication No. 63, 2000).

56. The outcome of the Conference was essential for preparing the background paper of the workshop on corruption organized by the Advisory Council in cooperation with UNICRI in Vienna on 10 and 11 April 2000 during the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders. The report of the workshop was included in the report of the Tenth Congress.[1]

57. In September 2000, the Advisory Council organized the International Conference on Countering Terrorism Through Enhanced International Cooperation, held in Courmayeur, Italy. The Conference, organized in collaboration with the United Nations Office for Drug Control and Crime Prevention and under the auspices of the Ministry of Justice of Italy, was attended by more than 190 experts from all over the world belonging to different disciplines (including economic, juridical, social and statistical subjects), as well as by representatives of entities of the United Nations system and non-governmental organizations. The goal of the Conference was to enlarge the repertoire of responses to terrorism and to create new strategies to prevent and control terrorism as a form of conflict-waging. The proceedings focused on old and new manifestations of terrorism by looking at current developments and emerging trends. It analysed social-revolutionary terrorism and state-sponsored terrorism, which seems to be declining, as well as religious-fundamentalist, right-wing, racist, single-issue and separatist terrorism, which appear to be on the increase in some countries. At the same time, particular attention was devoted to the new forms and tools of terrorism related to computer networks and to new technologies that serve both terrorists and those combating them.

58. The International Conference was preceded by a coordination meeting of the United Nations Crime Prevention and Criminal Justice Programme network and a plenary session of the International Scientific and Professional Advisory Council. A new Executive Board of the Advisory Council was elected from the nominations submitted, with due regard to geographical distribution and non-governmental organizations and professional representation. The new Board devoted its first session to planning forthcoming activities.

59. The Advisory Council cooperated with the United Nations Office for Drug Control and Crime Prevention and the Italian Organizing Committee in the organization of the High-level Political Signing Conference for the United Nations Convention against Transnational Organized Crime and the Protocols Thereto, held in Palermo, Italy, from 12 to 15 December 2000.

60. The Advisory Council, jointly with the United Nations Office for Drug Control and Crime Prevention and UNICRI, organized parallel events during the Conference in Palermo, namely a seminar on the rule of law in the global village: issues of sovereignty and universality, held in Palermo from 12 to 14 December, and the Forum for Global Action against Trafficking held in Catania on 14 December 2000. In cooperation with Liberia, the Advisory Council also organized a meeting on prevention strategies against transnational organized crime: the role of non-governmental organizations.

61. The quarterly *Newsletter* of the International Scientific and Professional Advisory Council was issued with the cooperation of the Naif Arab Academy for Security Sciences.

Notes

[1] See *Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Vienna, 10-17 April 2000: report prepared by the Secretariat* (United Nations publication, Sales No. E.00.IV.8).

[2] See *First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Geneva, 22 August-3 September 1955: report prepared by the Secretariat* (United Nations publication, Sales No. 1956.IV.4), annex I.A.

United Nations E/CN.15/2001/9

Economic and Social Council

Distr.: General
4 April 2001

Original: English

Commission on Crime Prevention and Criminal Justice
Tenth session
Vienna, 8-17 May 2001
Item 7 of the provisional agenda*
United Nations standards and norms in crime prevention and criminal justice

Use and application of United Nations standards and norms in crime prevention and criminal justice

Report of the Secretary-General

Summary

The present report of the Secretary-General was prepared for submission to the Commission on Crime Prevention and Criminal Justice at its tenth session, in pursuance of various General Assembly and Economic and Social Council resolutions. It provides an overview of the work done by the Centre for International Crime Prevention of the Office for Drug Control and Crime Prevention of the Secretariat to promote the use and application of United Nations standards and norms in crime prevention and criminal justice. It reviews the process of information-gathering and analysis conducted by the Secretary-General through 12 surveys on existing international instruments and on standard-setting activities designed to facilitate the drafting of new international instruments. It also offers suggestions to the Commission regarding the current and future programme of work of the Centre in promoting United Nations standards and norms in crime prevention and criminal justice.

* E/CN.15/2001/1.

V.01-82523 (E) 300401 020501

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I. Introduction

1. The present report was prepared for submission to the Commission on Crime Prevention and Criminal Justice at its tenth session, in pursuance of Economic and Social Council resolutions 1993/34 section III, of 27 July 1993, 1997/32, of 21 July 1997, and 1998/21, of 28 July 1998, concerning United Nations standards and norms in crime prevention and criminal justice, and in accordance with General Assembly resolutions 40/34, of 29 November 1985, and 52/86, of 12 December 1997, as well as Economic and Social Council resolutions 1996/12 and 1996/14, of 23 July 1996, 1997/31 and 1997/33, of 21 July 1997, 1999/25, of 28 July 1999, and 2000/14 and 2000/15, of 27 July 2000.

2. The present report provides an overview of the work done by the Centre for International Crime Prevention of the Office for Drug Control and Crime Prevention of the Secretariat to promote the use and application of United Nations standards and norms in crime prevention and criminal justice. It reviews the results of three surveys conducted by the Secretary-General through questionnaires designed by the Centre to ascertain the use and application of the following three international instruments: Basic Principles on the Role of Lawyers;[1] Guidelines on the Role of Prosecutors,[2] and United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules) (General Assembly resolution 45/110, annex). It also informs the Commission of the progress achieved in the continuing survey efforts of the Secretary-General regarding the use and application of the following two additional international instruments: Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice (resolution 52/86, annex); and Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (resolution 40/34, annex).

3. The present report includes a preliminary analysis of survey results relating to the following three international instruments, about which the Secretary-General will report in full to the Commission at its eleventh session: United Nations Declaration against Corruption and Bribery in International Commercial Transactions (General Assembly resolution 51/191, annex); International Code of Conduct for Public Officials (resolution 51/59, annex); and United Nations Declaration on Crime and Public Security (resolution 51/60, annex). It also covers the progress achieved in standard-setting, in particular with regard to the possible drafting of new international instruments on restorative justice and on elements of responsible crime prevention.

4. For its consideration of item 7, the Commission will have before it the sixth quinquennial report of the Secretary-General on capital punishment and implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty (E/CN.15/2001/10), the report of the Secretary-General on elimination of violence against women (A/54/69-E/1999/8 and Add.1), the report of the expert working group on the proposed establishment of an international fund for support to victims of transnational crime (E/CN.15/2000/CRP.3) and other relevant material to facilitate its deliberations on various issues.

5. The Secretary-General did not present reports to the Commission at its ninth session on survey results relating to the implementation of the Basic Principles on the Role of Lawyers, the Guidelines on the Role of Prosecutors and the United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules), as a sufficient number of government replies to the surveys had not been received in time. The Commission at its ninth session decided to consider the implementation of those instruments at its tenth session. Consideration of survey results relating to the United Nations Declaration on Crime and Public Security, the International Code of Conduct for Public Officials and the United Nations Declaration against Corruption and Bribery in International Commercial Transactions was deferred by the Commission to its eleventh session.[3] The Commission also deferred consideration of the report of the Secretary-General on progress achieved regarding juvenile justice reform (E/CN.15/2000/5). That report constituted a policy and position paper, outlined the results of a survey on juvenile justice reform, and served as the mandated second biannual report on the implementation of juvenile justice standards. The Commission further deferred consideration of the issues of restorative justice and penal reform, the latter in the context of the relevant international instruments.[4] In addition, it was decided that the theme of the eleventh session of the

Commission would be "Criminal justice administration reform".

6. Pursuant to Council resolution 1998/21, section I, paragraph 2, updated reports on survey results are to be prepared where at least 30 additional States have replied in respect of a standard or norm on which a report has already been submitted. In accordance with the Commission's decisions on strategic management, the bureau of the Commission decides which reports are to be submitted orally instead of in writing. Less than 30 Governments participated in the surveys on the use and application of the Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice, the Declaration of Basic Principles of Justice for Victims of Crime and the Abuse of Power and the draft text of elements of responsible crime prevention. The present report therefore briefly reviews the survey results, in consolidated fashion, in accordance with the strategic management decisions of the Commission and Council resolution 1998/21.

II. Background and perspectives

7. Setting and implementing standards in crime prevention and criminal justice have constituted one of the main areas of work of the Centre (and of its predecessors) since efforts in that field began over 40 years ago. Through a series of resolutions, legislative bodies have adopted international instruments and established a significant body of legal documents, within the framework of the United Nations, dealing with a wide range of issues. Various resolutions have also affirmed the important role of the Secretary-General in promoting the use and application of United Nations standards and norms in crime prevention and criminal justice.[5]

8. The General Assembly, in its resolution 46/152, of 18 December 1991, on the creation of an effective United Nations crime prevention and criminal justice programme, defined a general set of goals, including more efficient and effective justice administration based on respect for the human rights of all those affected and on the highest standards of fairness, humanity, justice and professional conduct. The Council, in its resolution 1994/18 of 25 July 1994, reaffirmed the important contribution that the use and application of United Nations standards and norms in crime prevention and criminal justice make to criminal justice systems.

9. Those resolutions have spelled out the role and functions of the Secretary-General as the custodian and repository of standards and norms in crime prevention and criminal justice and in implementing existing, and elaborating new, instruments in that field.[6] Under those resolutions, the Secretary-General was requested to begin a process of gathering information and establishing a data base, to be undertaken by means of surveys, on the use and application of various international instruments, and to report to the Commission thereon. The Secretary-General was also requested to review, as appropriate, the issue of standard-setting and the possible drafting of new international instruments.

10. On the recommendation of the Commission, the Council selected certain instruments and established the timing and pattern of surveying and reporting to the Commission, in accordance with established priorities. On that basis, the Centre has focused on gathering information on the use and application of existing instruments, on the desirability and usefulness of standard-setting or the drafting of new international instruments, and on the precepts and principles to be embodied in those instruments.

11. Twelve surveys have been conducted and five new methodological instruments or questionnaires designed by the Centre, from 1999 to 2001, on a variety of issues relating to standards and norms. Ten surveys were conducted on the use and application of existing instruments and two on the drafting of new instruments on restorative justice and on elements of effective crime prevention.

12. In its 10 surveys on existing instruments, the Centre focused on assessing the following: profiles of criminal justice systems vis-à-vis the instruments concerned; the nature and extent of application of the provisions of the instruments; the departure of the laws, policies, procedures and practices of criminal justice systems from the provisions of the instruments; obstacles to implementation; the role, status and impact of the international instruments; modalities by which to promote coordinated use and application; areas in need of technical advisory services and activities; the distribution and management of information; more effective information-gathering and reporting systems; and areas in need of new standard-setting activity.

13. United Nations policy, standards and norms in crime prevention and criminal justice have been established and expressed in the form of declarations, guidelines, plans and programmes of action, model instruments, measures and rules, and are embodied in the normative material published by the Centre. The basic texts are contained in *Compendium of United Nations Standards and Norms in Crime Prevention and Criminal Justice*,[7] for which a mandate for revision has been given to the Centre. They also take the form of manuals, resource books and guides, to which will be added, during 2001, a manual on anti-corruption policy and a kit against corruption, to be developed by the Global Programme against Corruption. The kit will be published both in hard copy and electronically, on the web site of the Office for Drug Control and Crime Prevention (http://www.odccp.org).

14. The United Nations has developed a composite body of international instruments in the field of crime prevention and criminal justice. The new instruments envisaged in that field, for example, that relating to restorative justice, would complement the earlier work, should the Commission so decide and should the Secretary-General be in a position to continue the standard-setting process. The United Nations Convention against Transnational Organized Crime (General Assembly resolution 55/25, annex I) and the protocols thereto, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the Protocol against the Smuggling of Migrants by Land, Sea and Air (resolution 55/25, annexes II and III), have been added to the arsenal of United Nations standards in crime prevention and criminal justice. The draft Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition has also been finalized and submitted to the General Assembly for consideration and adoption. The process of drafting a legal instrument against corruption will soon begin, leading to the emergence of a body of legally binding instruments to add to the repository of non-binding standards and norms providing the legal and normative basis for international criminal policy.

15. The policy precepts of existing non-binding instruments have paved the way for the adoption of binding standards and norms within the framework of the United Nations and for their implementation by States through improved laws, policies and practices. On the basis of those precepts, obstacles to the implementation of the binding instruments (conventions and protocols) may be identified and possibly overcome. The system of information-gathering and profiling established by the Centre has to some extent shed light on departures from international standards and norms in cases involving, for example, distinctions between acts committed by adults and juveniles, sanctioning, prison administration, treatment of and support for victims, bribery of public officials, codes of conduct for public officials and the operation of the criminal justice system, including the performance of prosecutors, lawyers and the judiciary. Although the binding and non-binding tools at the disposal of the United Nations have a fundamentally different legal status, the existence of the set of tools (individually and jointly) facilitates reform. The Centre has undertaken to examine ways of ensuring that the instruments available in the arsenal of standards and norms will be mutually reinforcing.

16. The Centre has adopted a new conceptual approach to standards and norms, the so-called clustered approach, which aims at reform in the administration of justice. Such an approach fosters the upgrading and strengthening of professional performance and of the capacity for effective crime prevention, while at the same time safeguarding human rights and promoting the use and application of instruments and precepts as universal benchmarks below which Governments should not fall. It distinguishes between various aspects developed by the instruments, including the following: substantive criminological issues (for example, fair treatment, gender mainstreaming, human rights, children's rights, bribery and corruption and public security); specific areas of concern (for example, women, victims and juvenile justice); criminal justice processes (for example, sanctioning, law enforcement and prevention); sector issues (for example, the courts and prison administration); and the conduct of professionals (for example, prosecutors, lawyers, police and the judiciary). The new approach will facilitate the setting of priorities for follow-up activities that can be focused on common themes rather than on individual instruments as such.

17. The Centre continued to set and advance United Nations criminal policy. At the same time, from its own unique programme perspective, the Centre made significant contributions to the development of United Nations policy and action, in particular in areas

of system-wide and priority concern (for example, human rights, gender affairs, children's rights and refugees). The Centre continued its close association and collaborative ties with the Division for the Advancement of Women, the Office of the United Nations High Commissioner for Refugees, the Office of the United Nations High Commissioner for Human Rights of the Department of Economic and Social Affairs and the United Nations Children's Fund. It maintained its outreach efforts with other relevant intergovernmental organizations and a wide range of non-governmental organizations. It continued to mobilize and promote cooperation with entities and networks at the intergovernmental, regional and subregional levels, including through the institutes comprising the United Nations Crime Prevention and Criminal Justice Programme network.

18. The Centre will undertake important work at the policy and field levels as it begins to implement the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century, adopted by the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Vienna from 10 to 17 April 2000.[8] It will do so in the context of its own plans of action, bearing in mind the provisions of the Declaration relating to standards and norms in crime prevention and criminal justice.[9] A revision of *Compendium of United Nations Standards and Norms in Crime Prevention and Criminal Justice* will be an important part of the work undertaken.

III. Gathering information on the use and application of United Nations standards and norms in crime prevention and criminal justice

19. In pursuance of resolutions 1993/34, 1997/32 and 1998/21, 12 global surveys on the use and application of United Nations standards and norms in crime prevention and criminal justice were conducted during the period 1999-2000. Seven of the 12 surveys required the design of elaborate methodological approaches and tools (questionnaires) to determine system profiles and the impact of the relevant instruments. The three remaining surveys were initiated by sending notes verbales to Governments and circular letters to all relevant institutions (intergovernmental and non-governmental organizations, the United Nations Crime Prevention and Criminal Justice Programme network and other United Nations entities). The questionnaire designed for the sixth quinquennial survey on capital punishment and implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty was an innovative one, for the first time incorporating race, ethnicity and religion as factors in addition to age and gender. It also refined the classification schemes established for the quinquennial surveys and reports on the death penalty.

20. Nine of the surveys concerned the use and application of the following international instruments: Basic Principles on the Role of Lawyers; Guidelines on the Role of Prosecutors; United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules); International Code of Conduct for Public Officials; United Nations Declaration against Corruption and Bribery in International Commercial Transactions; United Nations Declaration on Crime and Public Security; Declaration on Basic Principles of Justice for Victims of Crime and Abuse of Power; Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice; United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules) (General Assembly resolution 40/33, annex, of 29 November 1985); United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines) (resolution 45/112, annex, of 14 December 1990); and United Nations Rules for the Protection of Juveniles Deprived of their Liberty (resolution 45/113, annex, of 14 December 1990).

21. Two surveys dealt with the possible drafting of new international instruments on restorative justice and on elements of effective crime prevention. One survey was the sixth quinquennial survey on capital punishment and implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty.

22. Survey results regarding the Tokyo Rules and the instruments governing the role of lawyers and the role of prosecutors are covered in the present report. Survey results concerning the use and application of the Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice and the Declaration on Basic Principles of Justice for Victims of Crime and

Abuse of Power and the drafting of a new international instrument on elements of effective crime prevention did not meet the criteria for the preparation of updated reports and are also covered in the present report. The report of the Secretary-General on the sixth quinquennial survey on capital punishment is before the Commission in document E/2001/10, after having been submitted to the Commission on Human Rights.

23. Survey results regarding the International Code of Conduct for Public Officials, the United Nations Declaration on Crime and Public Security and the United Nations Declaration against Corruption and Bribery in International Commercial Transactions will be reported to the Commission at its eleventh session. Survey results regarding the possible drafting of a new international instrument on restorative justice will be submitted to the Commission at its eleventh session, in addition to a report on the possible drafting of a new instrument on elements of effective crime prevention, if requested by the Commission. Juvenile justice reform in line with the instruments governing juvenile justice will be considered by the Commission at its eleventh session, together with the issues of penal reform and restorative justice, in the context of reform of the justice administration.

A. Surveys on existing international instruments

1. United Nations Declaration on Crime and Public Security

24. Thirty-seven States have thus far participated in the survey on implementation of the United Nations Declaration on Crime and Public Security, carried out in accordance with General Assembly resolution 51/60 and Council resolution 1997/34.

25. The following States submitted replies: Algeria, Angola, Australia, Austria, Belarus, Bulgaria, Croatia, Czech Republic, Estonia, Finland, Germany, Greece, Iceland, Iraq, Ireland, Japan, Jordan, Kuwait, Madagascar, Mongolia, Morocco, New Zealand, Norway, Philippines, Poland, Portugal, Qatar, Republic of Korea, Slovakia, South Africa, Swaziland, Sweden, Syrian Arab Republic, Tajikistan, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland and United States of America. The following entities within the United Nations system have thus far submitted replies: Office of Legal Affairs; Office of the United Nations High Commissioner for Refugees; United Nations Environment Programme; Office of the United Nations High Commissioner for Human Rights; United Nations University; and International Labour Organization. Replies have also been received from the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders, the European Police Office (Europol) and the International Federation of Red Cross and Red Crescent Societies.

26. Analysis of the survey results is being undertaken by the Centre in cooperation with the National Institute of Justice of the United States Department of Justice, which is one of the institutes of the United Nations Crime Prevention and Criminal Justice Programme network. As recommended at the ninth session of the Commission,[10] survey results will be reported to the Commission at its eleventh session. Given the comprehensive nature of the responses received thus far, a separate report would be warranted.

2. United Nations Declaration against Corruption and Bribery in International Commercial Transactions

27. Forty-five States have thus far participated in the survey on the United Nations Declaration against Corruption and Bribery in International Commercial Transactions, conducted pursuant to Council resolution 1998/21. The following States have submitted replies: Algeria, Argentina, Austria, Belarus, Brazil, Brunei Darussalam, Bulgaria, Cameroon, Canada, Colombia, Costa Rica, Croatia, Czech Republic, Germany, Greece, Guatemala, Guyana, Iraq, Italy, Japan, Kazakhstan, Lebanon, Lithuania, Luxembourg, Mali, Malta, Mauritius, Myanmar, New Zealand, Niger, Nigeria, Norway, Panama, Peru, Poland, Saudi Arabia, Singapore, Slovenia, South Africa, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, United Arab Emirates, United Kingdom and Yemen. As recommended at the ninth session of the Commission, survey results will be submitted in a consolidated report of the Secretary-General to the Commission at its eleventh session.

3. International Code of Conduct for Public Officials

28. Fifty-three States have thus far participated in the survey on the International Code of Conduct for Public Officials, conducted pursuant to Council resolution 1998/21. The following States have submitted replies: Algeria, Angola, Antigua and Barbuda, Argentina, Bangladesh, Belarus, Belgium, Bolivia, Brunei Darussalam, Canada, Central African Republic, Chile, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czech Republic, Dominican Republic, Ecuador, Egypt, El Salvador, Finland, Germany, Greece, Guatemala, Guyana, Haiti, Hungary, Iraq, Italy, Japan, Lebanon, Lithuania, Malaysia, Mali, Malta, Mexico, Myanmar, New Zealand, Norway, Panama, Peru, Poland, Qatar, Republic of Korea, Saudi Arabia, Slovenia, South Africa, Sweden, Switzerland, Thailand and Uruguay. As recommended at the ninth session of the Commission, survey results will be submitted in a consolidated report of the Secretary-General to the Commission at its eleventh session.

4. Capital punishment

29. The Commission at its tenth session will have before it the sixth quinquennial report of the Secretary-General on capital punishment and implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty (E/CN.15/2001/10), prepared in accordance with Council resolutions 1745 (LIV) of 16 May 1973 and 1995/57 of 28 July 1995 and Commission on Human Rights resolution 1999/61.

30. The sixth quinquennial survey was based on a new questionnaire designed by the Centre. The report of the Secretary-General is an updated version of a report submitted to the Commission on its ninth session (E/CN.15/2000/3), the consideration of which was deferred to the tenth session to enable States that had not yet done so to participate in the survey and to incorporate the additional information in a revised report. The report before the Commission presents survey results based on information received from 63 States, including 18 additional replies, as well as research-based supplementary data. It covers the period 1994-1998, and has been extended to include 1999-2000.

5. Elimination of violence against women

31. Measures aimed at the elimination of violence against women are contained in the Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice and in Council resolution 1996/12. A series of reports relating to the drafting (E/CN.15/1996/11 and E/CN.15/1997/12) and implementation (A/54/69-E/1999/8 and Add.1) of the Model Strategies and Practical Measures has already been submitted to the Commission.

32. The Commission at its ninth session called for a separate report on the issue to be submitted at its tenth session. In pursuance of Assembly resolution 52/86 and Council resolution 1996/12, a second survey was conducted among States and relevant organizations concerning the application of the Model Strategies and Practical Measures and more effective, coordinated ways to eliminate violence against women. It focused on measures of implementation in addition to those reflected in the report of the Secretary-General on elimination of violence against women (A/54/69-E/1999/8 and Add.1), which is before the Commission as a background document.

33. The following States submitted replies to the second survey on the elimination of violence against women: Argentina, Azerbaijan, Belarus, Cameroon, Costa Rica, Czech Republic, France, Germany, Japan, Malta, Peru, Philippines, Qatar, Spain, Sweden and United States. The following organizations also submitted replies: Afro-Asian Peoples' Solidarity Organization; Australian Institute of Criminology; European Commission; International Criminal Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991; International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994; International Council of Women; National Institute of Justice of the United States Department of Justice; Pax Romana (International Catholic Movement for Intellectual and Cultural Affairs) (International Movement of Catholic

Students); Soroptimist International Association; and the United Nations Interregional Crime and Justice Research Institute (UNICRI).

34. Although the number of replies to the second survey is admittedly low, those submitted continued to express strong support for the elimination of violence against women in all its forms.

35. Governments reported making strenuous and wide-ranging efforts to eliminate violence against women, guided by the Model Strategies and Practical Measures and by the Beijing Declaration[11] and the Platform for Action,[12] adopted at the Fourth World Conference on Women, held in Beijing in 1995. The views expressed indicated a continuing commitment to reform aimed at eliminating violence against women, as called for by those instruments and as reflected in the report of the Secretary-General contained in document A/54/69-E/1999/8 and Add.1. In general, Governments continued to initiate and strengthen a wide range of legislative and other measures and organizations were carrying out both ongoing and new activities designed to eliminate violence against women.

36. Governments continually renewed their commitment to the goals and objectives set at the Fourth World Conference on Women, in particular through the Beijing Declaration and the Platform for Action, a substantial part of which has to do with eliminating gender-directed criminal violence which, by definition, includes abuse and exploitation of and trafficking in women and the girl child. Financial support for measures to combat violence against women appeared to be increasing, although developing countries continued to report shortages of facilities, services and personnel to deal with criminal justice issues. For the most part, they expressed the view that more consistent, systematic and coordinated efforts, at the policy as well as the practical levels, should be made both within and outside the United Nations system, to eliminate such gender- and age-directed criminality. It was agreed that as many organizations as possible should cooperate in institutional capacity-building to combat violence against women, while, at the same time, advancing the rights and status of women and introducing gender mainstreaming in all fields.

37. The Model Strategies and Practical Measures built upon the measures included in the Platform for Action and derived their broad definition of violence against women from the Declaration on the Elimination of Violence against Women (General Assembly resolution 48/104 of 20 December 1993). The Model Strategies and Practical Measures constitute an instrument aimed, in the first instance, at the deterrence and prevention of all types of criminal violence perpetrated against women and girls. To that end, it provides guidance to States as to the upgrading of the response on the part of their justice systems to gender- and age-directed violence in all its forms. It is also an instrument that promotes the fair treatment and rights of women, gender equality and equal access to justice, as well as gender mainstreaming and integrating a perspective of gender fairness within justice administration across legal systems.

38. Indeed, the Model Strategies and Practical Measures have proven their usefulness as a new international instrument to promote the achievement of those aims. There is sufficient evidence of this worldwide, in addition to the replies received to that effect from Governments and various organizations. It may be due to the policy-oriented and practical nature of the instrument. The momentum generated by the Fourth World Conference on Women gave added impetus to the application of the provisions of the instrument. It has been accepted and to a large extent applied by a substantial number of States. It has provided useful guidance for pursuing system modifications relating to the deterrence and criminalization of violence against women. The Model Strategies and Practical Measures became widely known in a relatively short time. The work undertaken by various entities within and outside the United Nations system is also evidence of the interest and involvement of Governments in the subject matter in the wake of the Fourth World Conference on Women. The Model Strategies and Practical Measures have served as the basis for that work. However, there still remains a substantial number of States that lack sufficient means to move towards the proscriptive provisions of the Model Strategies and Practical Measures. In fact, much work remains to be done in providing technical advisory support in that regard.

39. The Protocol against the Smuggling of Migrants by Land, Sea and Air and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, provided an important new normative

framework for action against violence against women. They also provided orientation for the Global Programme against Trafficking in Human Beings, launched by the Centre in March 1999. In so far as the protocols call for the criminalization of trafficking in human beings and emphasizes victim support and witness protection, important new ways have been universally agreed upon to combat violence against women. More resources would be needed, however, to enable the Global Programme to render the advisory and operational services required of Governments in this area. While the Global Programme has now started to build a capacity to render assistance to Governments in its own area of competence, it nevertheless requires far more funding to meet the needs of States in terms of trafficking in women and children.

40. The Commission may wish to consider the progress achieved in the use and application of the instrument and what types of legislative action would invite further application of its provisions, in particular in the crucial areas of deterrence, criminalization and sanctioning of violence against women in all its forms, so as to make a discernible impact on that form of gender- and age-directed criminality.

6. Victims of crime and abuse of power

41. On the recommendation of the Commission on its ninth session, the Council adopted resolution 2000/15, entitled "Implementation of the Basic Principles of Justice for Victims of Crime and Abuse of Power", in which the Secretary-General was requested to prepare a report on possible ways and means of providing adequate assistance to initiatives in the area of victim care. Pursuant to that resolution, as well as to Council resolutions 1996/14, of 23 July 1996, 1997/31, 1998/21 and 2000/14 and General Assembly resolution 40/34, of 29 November 1985, a survey was conducted on action taken by Governments and relevant organizations to give effect to the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power. The survey also addressed possible ways and means of providing adequate assistance to initiatives in the area of victim care, taking into account existing mechanisms providing such assistance and the report of the working group of experts on the matter, before the Commission in document E/CN.15/2000/CRP.3.

42. Survey results appear to indicate that, in recent years, significant momentum and reform have been generated in respect of the role, status and care of victims. They point to the need to review not only the legislative history, but also the work done and progress achieved, in accordance with the United Nations standards and norms, on behalf of victims, as well as their role, status, care and protection, worldwide and across legal systems. A considerable amount of work remains to be done in implementing existing mandates before enacting legislation and undertaking additional tasks on the basis of new mandates. For example, the plan of action adopted by the Council and contained in the annex to its resolution 1998/21 has a number of components on which much needs to be done in the following areas: capacity-building; research and the gathering and exchange of information; and the prevention of victimization. The plan of action further spells out a number of steps to be taken, including action at the regional and international levels and coordination of relevant initiatives.

43. The United Nations Convention against Transnational Organized Crime and the protocols thereto are important new legally binding means by which the status of victims will become more prominent internationally. They have brought forth international standards and norms, in addition to those embodied in the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, that will strengthen the essential elements of the Declaration regarding the role, status and rights of and support for victims of crime. The practical work of the Centre that will be generated with the birth of those additional standards applicable to crime victims is likely to exemplify the manner in which laws, policies, procedures and practices might be pursued by Governments. The Global Programme against Trafficking in Human Beings deals with the victims of trafficking in human beings in line with the Declaration and the protocols to the Convention.

44. The following States submitted replies to the survey on implementation of the Declaration: Belarus, Denmark, Germany, Ireland, Malta, Mexico, Peru, Qatar, Sweden and Turkey. Replies were also submitted by the Economic Commission for Africa and by the following organizations: Australian Institute of Criminology; European Commission; European Forum for Victim Services; International Centre for Criminal Law Reform and Criminal Justice Policy; International Institute of Higher Studies in Criminal Sciences; International Criminal Tribunal for the Prosecution of

Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991; International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committeed in the Territory of Neighbouring States between 1 January and 31 December 1994; National Institute of Justice of the United States Department of Justice; Pax Romana (International Catholic Movement for Intellectual and Cultural Affairs) (International Movement of Catholic Students); UNICRI; and World Muslim Congress.

45. The issue of the creation of an international fund for victims of crime and abuse of power was raised by the Council in its resolution 1998/21. In that resolution, the Secretary-General was requested to seek the views of States on the desirability and feasibility of establishing such a fund and to convene a working group of experts on this matter. The fund was to support the following: (a) technical assistance to develop and/or strengthen victim support services and organizations; (b) specific projects and activities; (c) awareness campaigns on victim rights and crime prevention; (d) eligible victim claims resulting from international and transnational crime, where national avenues of recourse and/or redress are unavailable or insufficient.

46. The Commission has before it the report of a working group of experts on the possible establishment of a fund for victims of crime and abuse of power (E/CN.15/2000/CRP.3).

47. One of the findings of the working group was that there is a need to provide adequate assistance to initiatives in the area of victim care. The working group endorsed the creation of an international fund and made a specific proposal for the establishment of an international fund for support to victims of transnational crime.

48. The working group was of the view that the creation of such a fund would give a clear signal to Governments and victims, in particular those most vulnerable, such as victims of trafficking in human beings and of sex tourism. The working group made a number of suggestions along the lines of some of the goals for the fund indicated in Council resolution 1998/21. It suggested that an international fund be established to support the following goals: (a) development and/or strengthening of victim support services through technical assistance; (b) elaboration of measures for special victim types or groups, in particular with regard to transnational crime; and (c) design of international awareness-raising campaigns promoting the rights of victims and effective crime prevention.

49. The working group recommended the establishment of a governing board for the proposed fund, with due representation of developing countries, donors (public and private) and victim support groups and experts, as well as the Centre. With regard to operational modalities, the working group felt that the fund should be established within a relatively short period of time, as a subaccount of the United Nations Crime Prevention and Criminal Justice Fund. This would be one way of lending United Nations affiliation and status to the proposed fund. It is suggested that United Nations field-based offices, especially those of the Office for Drug Control and Crime Prevention, operate as intermediaries between the administration of the fund and the applicants.

50. Both public and private funding for the fund should be possible. The responsibility for and decision about project funding should rest with the governing board. While the fund would initially require financial support sufficient to grant 250,000 United States dollars ($) for at least five projects per year, it should increase incrementally over subsequent years. The board should also formulate criteria and priorities for an objective assessment and allotment of grants. The fund should operate at low cost in order to be of maximum benefit to victim support. Criteria governing applicants and the assessment of grants considered by the board were suggested by the working group.

51. The proposed fund would be another step in the direction of United Nations action in support of victims. It would also help Governments in their efforts at preventing victimization and caring for and assisting victims of crime. United Nations assistance in that regard, involving experts on and advocates of victim rights, could be given through projects supported by contributions of interested parties. With such a mechanism in place, supportive action at the field level could be provided.

7. Juvenile justice reform

52. A report of the Secretary-General on juvenile justice reform was submitted to the Commission at its ninth session (E/CN.15/2000/5), in accordance with Council resolutions 1997/30, 1998/21 and 1999/28, as well as General Assembly resolutions 40/33, 40/34 and 42/35. The report brought to the attention of the Commission the results of a survey of the implementation of the above-mentioned resolutions, including ways in which all concerned entities might together work more effectively and coordinate their efforts to effect juvenile justice reform. The Commission at its ninth session decided to defer consideration of the matter and the report to its eleventh session, under an item on the topic of criminal justice reform.[10]

8. Penal reform

53. A number of Council resolutions deal with the issue of penal reform, including the following: resolutions 1997/27, 1997/33, 1997/36, 1998/21, 1998/23 and 1999/25. The international instruments relevant in this regard are the following: Standard Minimum Rules for the Treatment of Prisoners;[13] procedures for the effective implementation of the Standard Minimum Rules for the Treatment of Prisoners (Council resolution 1984/47, annex, of 25 May 1984); Model Agreement on the Transfer of Foreign Prisoners and recommendations on the treatment of foreign prisoners;[14] Basic Principles for the Treatment of Prisoners (General Assembly resolution 45/111, annex, of 14 December 1990); United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules); Model Treaty on the Transfer of Supervision of Offenders Conditionally Sentenced or Conditionally Released (General Assembly resolution 45/119, annex, of 14 December 1990); United Nations Rules for the Protection of Juveniles Deprived of their Liberty; United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules); Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (General Assembly resolution 39/46, annex, of 10 December 1984); and Body of Principles for the Protection of All Persons under any Form of Detention or Imprisonment (General Assembly resolution 43/173, annex, of 9 December 1988).

54. Other instruments relevant to prison reform are the following: Kampala Declaration on Prison Conditions in Africa (Council resolution 1997/36, annex, of 21 July 1997); Kardoma Declaration on Community Service (Council resolution 1998/23, annex I, of 28 July 1998); and Arusha Declaration on Good Prison Practice (Council resolution 1999/27, annex, of 28 July 1999). At its ninth session, the Commission decided to defer consideration of the issue of penal reform to its eleventh session, which will be devoted to criminal justice administration.[10] A new survey would be conducted on that subject, should the Commission so decide.

B. Standard-setting and continuing surveys on the drafting of new international instruments

1. Elements of responsible crime prevention

55. The Commission at its ninth session included a report of the Secretary-General on elements of responsible crime prevention in the proposed documentation for its tenth session. In pursuance of Council resolutions 1997/33 and 1999/25, the Secretary-General conducted a second survey on the possible drafting of a new international instrument on elements of responsible crime prevention. The survey involved a review of and proposals on the most recent text of the draft elements, contained in document A/CONF.187/7, on the text annexed to Council resolution 1997/33, and on the guidelines for cooperation and technical assistance in the field of urban crime, adopted by Council resolution 1995/9, of 24 July 1995. It invited suggestions as to the desirability and usefulness of drafting such a new international instrument.

56. The survey also called for suggestions as to ways in which provisions of the new United Nations Convention against Transnational Organized Crime and the protocols thereto might be seen as relevant to the process of drafting the new instrument. In that process, it would be useful to find ways in which the provisions of those instruments might be reflected in the provisions of the new instrument on responsible crime prevention, in particular with regard to the prevention of organized crime. Particular reference in that regard is made to article 31 of the Convention, on prevention, and to Convention articles 5 to 18 and 26 to 29, in the

context of the overall framework and scope set out in articles 1 to 4.

57. Of particular relevance to the issue are the following reports, which have been made available to the Commission: working paper prepared by the Secretariat on effective crime prevention: keeping pace with new developments (A/CONF.187/7); report of the Secretary-General on crime prevention (E/CN.15/1993/3); and the report of the Expert Group Meeting on Community Involvement in Crime Prevention, held in Buenos Aires from 8 to 10 February 1999 (E/CN.15/1999/CRP.1). Council resolutions 1997/33 and 1995/9 are also essential texts.

58. Crime prevention was an issue of relevance in the items of the agenda of the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders. It was specifically dealt with under the item on effective crime prevention: keeping pace with new developments. Crime prevention issues were raised in the discussion guide for the Tenth Congress (A/CONF.187/PM.1 and Add.1), and given prominence in reports of its regional preparatory meetings (A/CONF.187/RPM.1-4/1). It was also of considerable relevance in its four research workshops, on combating corruption, crimes related to the computer network, community involvement in crime prevention and women in the criminal justice system. It was a focus of attention in background papers and the report of the workshops.[15] It figured prominently in the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century, and is addressed by the Centre in its plans for implementation of the Declaration. Another major concern of the Tenth Congress was that crime prevention be balanced with human rights.

59. The Centre's global programmes against corruption, transnational organized crime and trafficking in human beings constitute important new programmatic tools aimed at crime prevention in specific areas. The various programmes that have been established within the Centre can use the set of policy tools offered by the United Nations to effect change at the local and field levels. Indeed, the global programmes, guided by the normative framework of the instruments, can bring to bear and help demonstrate their added, functional value in crime prevention across the areas covered. Their combination of policy-oriented, legal, advisory and field-level projects and other activities can prove useful in the fight against crime in all its forms under various legal systems.

60. The following States submitted replies to the second survey of the Secretary-General on elements of crime prevention: Canada, Czech Republic, Finland, Sweden and Turkey. The Office of the United Nations High Commissioner for Human Rights, the Economic Commission for Europe, the International Maritime Organization, the United Nations University and the Universal Postal Union submitted replies. The following organizations also submitted replies: African Peace Network; Afro-Asian Peoples' Solidarity Organization; Australian Institute of Criminology; Customs Cooperation Council (also known as the World Customs Organization); Friends World Committee for Consultation; National Institute of Justice of the United States Department of Justice; Organisation for Economic Cooperation and Development; European Commission; International Institute of Higher Studies in Criminal Sciences; International Criminal Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law in the Territory of The Former Yugoslavia since 1991; and International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994.

61. The comments received by the Secretary-General in 1999 from 26 States and five organizations, albeit representing a relatively low response rate, indicated support for the drafting of a new international instrument on crime prevention (E/CN.15/1999/3, paras. 39-57). Some of the comments received through the first survey of the Secretary-General on the matter were confirmed in the second survey. The draft elements annexed to Council resolution 1997/33 were seen as a good start, but as preliminary. The meaning of the term "prevention" suffered the same lack of clarity in the draft as functionally in its application across systems. The nature and extent of involvement and the role of various agencies in a prevention effort needed to be specified. The particular vulnerability of certain population groups such as women and children had to be addressed.

62. Since adoption of Council resolution 1997/33 calling for the possible drafting of a new instrument on crime prevention, two surveys have been conducted to ascertain the views of States and organizations as to the desirability and utility of such an instrument and the possible principles to be codified therein. Neither has yielded high response rates or led to conclusions on those matters. An expert group meeting had also been convened to discuss the issues involved. The Commission therefore had to take stock of the progress achieved, as described in the present report, and to decide whether the mandates and tasks remain relevant.

63. The Commission may wish to consider either abandoning the existing mandates, or renewing them and providing the necessary resources to fulfil them. The Commission may also wish to establish an ad hoc inter-sessional working group to consider the draft elements and to build consensus on the drafting of the provisions of the new instrument. Should the Commission so decide, the process of drafting and adopting the new international instrument could be carried out by the Commission itself.

2. Restorative justice and mediation

64. In accordance with Council resolutions 1996/26, 1998/21 and 2000/14, the Secretary-General surveyed the views of Governments and relevant entities on the drafting of a new international instrument on restorative justice and mediation. In particular, the Secretary-General requested their views on the desirability and feasibility of such instrument and on the principles to be codified therein, as well as their comments on the preliminary draft elements of a declaration of basic principles on the use of restorative justice programmes in criminal matters, annexed to Council resolution 2000/14, and any other relevant information that they wished to submit on the subject.

65. The following States have thus far submitted replies: Argentina, Australia, Belgium, Bolivia, Bulgaria, Canada, Costa Rica, Croatia, Denmark, Fiji, Germany, Ireland, Italy, Japan, Malaysia, Norway, New Zealand, Pakistan, Peru, Philippines, Norway, Qatar, Saudi Arabia, Sierra Leone, South Africa and Turkey. The Division for the Advancement of Women submitted a reply. Replies were also received from the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders and from the following organizations: Andean Commission of Jurists; Defence for Children International Movement; Friends World Service Committee for Consultation; International Centre for Criminal Law Reform and Criminal Justice Policy; International Criminal Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law in the Territory of the Former Yugoslavia since 1991; International Criminal Tribunal for the Prosecution of persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994; and Prison Fellowship International.

66. In accordance with Council resolution 2000/14, survey results will be analysed by and brought to the attention of an expert group meeting, should financial support be made available for that purpose. The report of the expert group meeting would then be presented to the Commission at its eleventh session. Rutgers University, in New Jersey (United States), has offered its cooperation and been in consultation with the Centre concerning the drafting of the instrument. The Government of Canada has expressed its interest in sponsoring and hosting an expert group meeting for that purpose. The meeting would bring together experts from various regions of the world and representatives of different legal systems. The proposed meeting might be held in Canada in October 2001.

67. The Commission may wish to consider formal proposals for the hosting and convening of the above-mentioned expert group meeting, without which the standard-setting activity may not be able to proceed as envisaged by the Council.

IV. Results of surveys on existing international instruments

68. The results of surveys on the following three international instruments are covered in the present section: Basic Principles on the Role of Lawyers; Guidelines on the Role of Prosecutors; and United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules).

A. Basic Principles on the Role of Lawyers

69. Thirty-eight Governments participated in the survey and completed the questionnaire on the use and application of the Basic Principles on the Role of Lawyers, conducted pursuant to Council resolutions 1993/34, 1997/32 and 1998/21. The following States submitted replies: Algeria, Antigua and Barbuda, Australia, Austria, Bahrain, Belarus, Cameroon, Chad, Czech Republic, Cyprus, Dominican Republic, Egypt, El Salvador, Estonia, Guatemala, Japan, Kazakhstan, Latvia, Lithuania, Malaysia, Malta, Mexico, Morocco, Myanmar, Norway, Peru, Poland, Portugal, Qatar, Republic of Korea, Senegal, Singapore, Slovakia, Slovenia, Spain, Sweden, Switzerland and United States.

70. Most Governments indicated that accused persons were entitled to call upon the assistance of a lawyer of their choice to protect and establish their rights and defend them in all stages of criminal proceedings. Most reported having established efficient procedures and responsive mechanisms for the effective and equal access to lawyers and legal services, on a non-discriminatory basis. With some exceptions (Antigua and Barbuda, Dominican Republic, Qatar, Sweden and Switzerland), respondents indicated that information on the important role of lawyers in protecting the fundamental freedoms of citizens was provided to the public, whether by Governments or professional associations of lawyers. Such information was provided only in some parts of the country in a number of States.

71. Nearly all respondents reported that persons were informed of their rights, including the right to legal assistance upon arrest or upon detention. Some replied additionally that information was provided upon apprehension, at a later stage, or at the request of the individuals concerned.

72. The time within which an arrested or detained person (with or without criminal charges) had access to a lawyer varied, between half an hour (Slovakia) and 48 hours. Australia reported that this information was provided as soon as practicable. And the United States reported that the precise statutory period varied across states, but the information was generally provided upon arrest, detention or first court appearance immediately following arrest. Several States (Chad, El Salvador, the Republic of Korea, Singapore, Spain and Sweden) reported no time limit in this regard.

73. Most respondents indicated that they ensured the provision of sufficient funding and other resources for legal services to indigenous and otherwise disadvantaged persons, as required. For some Governments, funding for such purposes was available to a certain extent. Two Governments (Cameroon and Chad) reported that the provision of legal services could not be ensured for lack of resources. The circumstances under which persons were entitled to the services of a lawyer without charge were regulated differently across respondent States. With several exceptions (Algeria, Dominican Republic, Estonia, Myanmar and Slovakia), respondents indicated the provision of such services. Completion of law school, college and bar or state examination and practical training to gain acceptance/recognition as a lawyer were required in most respondent States. The reported duties of lawyers towards clients included providing advice and information on legal rights, obligations, procedures etc., in so far as the latter are relevant to legal rights. Respondents indicated that those duties were included in all or in some cases.

74. Most Governments reported taking measures to ensure that lawyers were not under threat of sanction for action taken in the course of their professional duties, according to their standards and ethics. One Government (El Salvador) indicated that it does not ensure the above-mentioned conditions. Two Governments (Poland and Qatar) reported that lawyers assisting a client were identified with the cause of clients as a result of their functions as a lawyer. Some Governments (Chad, El Salvador, Guatemala, Latvia, Spain and United States) reported that a lawyer would be identified as such only in some cases.

75. With one exception (Latvia), respondents mentioned that there were no courts where the right to counsel was not recognized. Most respondents reported that lawyers enjoyed civil and penal immunity for relevant statements made in good faith in written or oral pleadings or in their professional appearances before a court, tribunal or other legal administrative authority. Most respondents reported that lawyers had access to all appropriate information, files and documents to enable them to provide effective legal assistance to their clients. Some indicated that, in practice, lawyers might not have access to all

information, files and documents required for each case.

76. Most respondents reported that lawyers had the right to participate in public discussion of matters concerning law, justice administration and the promotion and protection of human rights. That could be done without professional restriction by reason of lawful action and without limitation. Several respondents (Norway, Singapore and Qatar) indicated that lawyers had this right in their countries, but with certain limitations prescribed by law or other regulations. Some respondents (Australia, Austria, Myanmar and Slovakia) reported such limitations to be prescribed by a code of conduct or ethics.

77. All respondents reported that lawyers were free to form and join self-governing professional associations to represent their interests, promote their continuing education and training and protect their professional integrity, although some States had certain limitations prescribed by law or other regulations (Cameroon, Estonia, Latvia, Qatar, Republic of Korea and Slovakia), by a practical code of conduct (Myanmar) or by a code of conduct or ethics (Algeria and United States). Respondents indicated that the executive body of such professional associations were elected by the membership, with the exception of Myanmar, where the executive body is elected by the government authority. With some exceptions (Cameroon and El Salvador), responding States noted that those professional associations of lawyers co-operated with the Government to ensure that all persons had effective and equal access to legal services. Furthermore, lawyers were able, without improper interference, to counsel and assist their clients in accordance with the law and recognized professional standards and ethics.

78. Nearly all States reported the establishment of a code of professional conduct for lawyers. They stressed that lawyers, who in their professional capacity were charged or had a complaint made against them, had the right to a fair hearing and the right to be assisted by another lawyer of choice. Those charges or complaints were reportedly processed expeditiously and fairly.

B. Basic Principles on the Role of Prosecutors

79. Forty-eight Governments participated in the survey and completed the questionnaire on the use and application of the Basic Principles on the Role of Prosecutors, conducted pursuant to Council resolutions 1993/34 and 1997/32. The following States submitted replies: Algeria, Antigua and Barbuda, Argentina, Armenia, Australia, Belarus, Belgium, Brunei Darussalam, Cyprus, Czech Republic, Dominican Republic, El Salvador, Estonia, Greece, Guinea, Honduras, Iceland, Japan, Kazakhstan, Kyrgyzstan, Lebanon, Lesotho, Lithuania, Malaysia, Malta, Mauritius, Mexico, Myanmar, New Zealand, Nigeria, Pakistan, Peru, Poland, Portugal, Qatar, Singapore, Slovakia, Slovenia, Spain, South Africa, Sweden, Switzerland, Syrian Arab Republic, Thailand, Trinidad and Tobago, United States, Venezuela and Zambia.

80. Most respondents reported that completion of law school, college and a bar or state examination, as well as practical training, for acceptance/recognition as a prosecutor were required. One respondent (Dominican Republic) reported that completion of law school or a college was the basic legal qualification for a prosecutor. One respondent (Australia) reported the requirement of admission as barrister of supreme courts. Another respondent (Lithuania) required a master of law or bachelor's professional qualification degree in that regard. Most reported that there were separate training institutions or schools entrusted with the education and training of prosecutors. In some States (Guinea, Honduras, Mexico, Spain, South Africa and Zambia), bodies existed that were in charge of other training for government officials.

81. With some exceptions (Belarus, Belgium, Dominican Republic, Honduras, Lithuania, Qatar and Switzerland), all respondents indicated that prosecutors could perform their professional functions without exposure to civil, penal or other liability. Others (Portugal, Thailand and Venezuela) stressed that this was only in exceptional cases. Some respondents indicated that prosecutors had the right to participate in public discussions on matters of law, justice administration and human rights without limitation and without suffering professional disadvantage by reason of lawful actions. The majority reported limitations prescribed by law, code of conduct or ethics. In one

State (Singapore), approval of the Attorney-General was required, in another (Venezuela), a supervisor's authorization was required. In yet another State (Mauritius), no such right for the prosecutor existed. The same applied to the freedom of a prosecutor to form and join local, national or international organizations and to attend the meetings of those organizations without suffering professional disadvantage by reason of their membership in those organizations. One respondent (Mauritius) reported that no such right was given.

82. Nearly all respondents indicated that authorities offered physical protection to prosecutors when safety was threatened as a result of the discharge of prosecutorial functions. Some respondent States (the Czech Republic, Japan, Lesotho and Qatar) indicated that such protection was not provided. Most respondents reported that measures were also taken to ensure the personal safety and security not only of prosecutors, but also of their families. Most reported on bodies, for example, an internal personal management committee, a body independent of the prosecutor's office or others, such as a higher council of justice or a special tribunal, to ensure that the promotions were based on objective criteria.

83. With some exceptions (Algeria, Lebanon and Thailand), respondents stressed that the prosecutor's office was strictly separated from judicial functions. All respondents reported that the prosecutors perform their duties expeditiously, thus helping to ensure the smooth functioning of the criminal justice system and that, with one reported exception (Pakistan), the prosecutors kept matters in their possession confidential, unless the performance of duty or the needs of justice required otherwise. Codes of conduct, ethical guidelines and discretion governed this across States. The majority reported that, as prescribed by law, prosecutors protected the public interest, acted with objectivity and took proper account of the suspect and of the victim.

84. Nearly all respondents reported that they required prosecutors to refrain from initiating or continuing prosecution if an impartial investigation showed that the charge is unfounded. Some respondents (Algeria, Belgium, Estonia, Guinea, Honduras, Malta, Mauritius and Sweden) reported exceptions, indicating that it depended on the decision of the individual prosecutor. No respondent reported that prosecutors were allowed to use evidence against suspects that they knew or believed on reasonable grounds was obtained through recourse to unlawful methods, constituting a grave violation of a suspect's human rights. One respondent (Nigeria) indicated relevant evidence as a strong point for admissibility, although evidence obtained through human rights violations like torture were excluded.

85. Most indicated that prosecutors were vested with discretionary functions including institution or waiver of prosecution. Some respondents reported that discretionary prosecutorial functions were not of a permanent, long-standing nature, but rather existed on a case-by-case basis (Algeria, Mauritius, Myanmar and Qatar). A number of respondents (Argentina, Belarus, Czech Republic, El Salvador, Estonia, Poland, Portugal and Syrian Arab Republic) reported that prosecutors were not vested with discretionary power or authority at all. Most respondent States indicated that prosecutorial discretionary functions were checked or controlled by an internal supervisory system. Some States (Mexico, Peru, Sweden, Switzerland and United States) also had a process of review through individual claims. One respondent (Guinea) reported that no such control mechanisms existed.

86. Several respondents (Algeria, Estonia, Greece, Malta, Portugal, Sweden and Thailand) reported prosecutors could not waive prosecution; others reported they may waive prosecution if alternatives to conflict resolution were successful (for example, no strong public interest to prosecute; or the victim or the victim's family did not elect to prosecute). With some exceptions (Algeria, Belgium, Estonia, Greece, Kazakhstan, Malta, Pakistan, Spain, Sweden, Syrian Arab Republic and Thailand), the same applied to the question of whether prosecutors could discontinue proceedings conditionally or unconditionally. All respondents reported that prosecutors and the police shared information about cases, whether in all cases, with certain exceptions or only in exceptional cases.

C. United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules)

87. Thirty-eight Governments participated in the survey and completed the questionnaire on the use and application of the United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules),

conducted pursuant to Council resolutions 1993/34, 1997/32 and 1998/21. The following States submitted replies: Algeria, Antigua and Barbuda, Australia, Austria, Bahrain, Belarus, Belgium, Bolivia, Canada, Cuba, Cyprus, Estonia, Greece, Iceland, Italy, Japan, Kuwait, Latvia, Malta, Mauritius, Mexico, Morocco, Myanmar, Niger, Norway, Peru, Poland, Portugal, Qatar, Republic of Korea, Rwanda, Saudi Arabia, Senegal, Slovakia, Slovenia, Sweden, Thailand, Turkey, United Arab Emirates, United Kingdom and United States.

88. The Tokyo Rules were recognized as important in the administration of justice by most respondent Governments. Most respondents reported the wide distribution of the Tokyo Rules to officials across sectors. There were indications, however, that many practitioners concerned with criminal justice administration were still not aware of the Tokyo Rules. A number of respondents reported that they had translated the Tokyo Rules into local languages, while more than 10 countries have not had it translated when their official languages are not one of the United Nations official languages.

89. Most respondents indicated that the aim of application of non-custodial measures was to reduce the use of imprisonment and rationalize criminal justice policies. Reduction of the length of imprisonment through the application of non custodial measures was indicated by about half of the respondents. Many respondents took non-custodial measures to promote offender reintegration into society. Other aims indicated by respondents included: imposition of an appropriate punishment to offenders (Antigua and Barbuda); reduction of the harm of incarceration (Italy); avoidance of mixing first-time offenders with recidivist offenders in prison (Kuwait). All respondents reported their taking into account the observance of human rights, requirements of social justice, and offender rehabilitation in their use of non-custodial measures.

90. As to the stages when non-custodial measures are imposed, most indicated that many of the measures are imposed by the sentencing authorities. In addition to the measures enumerated in the questionnaire, two respondents (Poland and Slovenia) raised prohibition of approaching a specific place or person as other measures used. In the use of non-custodial measures, most respondents took into account the following factors: nature and the gravity of the offence; age; offender personality and background; protection of society; and victim rights and well-being. About half of the respondents considered also the gender of the offender. Two thirds considered the principle of minimum intervention. One Government (the United States) raised community ties.

91. Most respondents prescribed introduction and use of non-custodial measures by law or other regulations. But not all respondents reported having provision for breach of non-custodial measures. Generally, the offender had the right to have the decision reviewed by judicial or other competent independent authority at the time of imposition of a non-custodial measure or on post-sentencing disposition. Two respondent Governments (Kuwait and Thailand) reported the offender not to be granted such a right. With regard to the accessibility to personal records, many respondents reported permitting offenders access to records with restrictions. When a restriction was imposed, several respondents (Malta, Sweden and United Kingdom) cited the case when victims or other third parties could be endangered with offender access. At the pre-trial stage, half of the respondents granted powers to the police to discharge the offender. Remaining respondents indicated that the police have the discretion not to file a report. As to prosecutors, more respondent Governments empowered them to discharge the offender. Most indicated that detention pending trial was used as a measure of last resort. In cases where pre-trial detention was used, suspects had the right to appeal to a judicial or other competent independent authority in all respondent States.

92. The judicial authority made use of a social inquiry report or a pre-sentence report prepared by a competent, authorized official or agency in many respondent States. Yet nearly half of the respondent Governments indicated that such a report was available only in exceptional cases. In several States (Bolivia, Italy and Latvia), the report was not available to judicial authorities. In respect of when judicial authorities were obliged to request such a report, many respondent Governments raised the case of juveniles. Others indicated the case of serious offences (Algeria, Cyprus, Niger and United States); offences involving the offender's mental capacity (Republic of Korea and United States); offences committed within the family (Saudi Arabia); and environmental offences (Peru). Two respondents (Cuba and Iceland) indicated that the judicial authority was obliged to request the report in

all cases. The report prepared was available to the accused in many respondent States.

93. Most respondents reported having a system of periodic or non-periodic review of the supervision. Two respondents (Niger and Rwanda) indicated that such a review system had not been established. More than half of the respondents afforded offenders the possibility of expressing individual views regarding revision of supervision at the time of review. A number of respondents indicated that offenders did not have such opportunity at that time. During supervision, most provided offenders with psychological, social and material assistance as well as the opportunities to establish or strengthen communal ties. With one exception (Bahrain), all respondents indicated that competent authorities could determine conditions to be observed by the offenders concerned and considered it necessary that those conditions take into account societal needs and offender and victim rights. Conditions imposed on offenders were explained either orally or in writing at the beginning of the application of non-custodial measures. About half of the respondents indicated that breach of the condition result in either a modification or a revocation of the non-custodial measures. But some respondents indicated that breach of conditions automatically resulted in imposition of a term of imprisonment.

94. As to the treatment schemes provided to the offender, many considered casework as effective in all or almost all cases. Other schemes such as a residential programme, specialized treatment and group therapy were considered effective in a few cases. With regard to staff who apply non-custodial measures, although many indicated that they provided professional training in all or almost all cases, some indicated that they provided such training either in exceptional cases or in no case. In many, the community played some part in the application of non-custodial measures. Most respondents indicated that community involvement needs to be enhanced. Many respondents indicated receipt of support from public-sector and voluntary organizations when they carry out non-custodial measures, and about half of the Governments also invited the private sector to provide support. Where the Government involved volunteers, they were carefully screened, and volunteers were recruited and trained to provide support and counselling. Many respondents reported on research initiatives and outcomes with regard to the application of non-custodial measures. Evaluation of existing systems of non-custodial measures was being carried out in half of the respondent countries. All respondents, however, recognized its value in that regard.

D. Conclusions on the survey results regarding the three international instruments

95. The three instruments were fairly well recognized in most respondent States and the majority of the measures embodied therein were reported to have been already incorporated into law, rules or other regulations in the respective jurisdictions. At the same time, there was a number of measures that still needed to be taken by States to more fully align national systems across instruments. Greater distribution of the instruments to the relevant professions in the respective countries seems to be called for. A majority of the survey respondents indicated a need for technical assistance in various areas covered by the instruments (for example, training, inter-agency coordination and reviewing the systems vis-à-vis departure from the provisions of the instruments.

96. Respondents across the three surveys mentioned the lack of trained personnel, appropriate support structures and adequate funds. Generally, the problems of lack of appropriate personnel and support structure were raised by developing countries. Technical assistance should be effective for these cases. The problem of lack of adequate funds was raised not only by developing and developed countries. The reasons might be different in each country, but by promoting the application of the Tokyo Rules, prison overcrowding would be decreased and the financial burdens of keeping inmates in prisons would be reduced. It is recommended that each Government review the allocation of funds for alternatives in the criminal justice systems.

97. With respect to the Tokyo Rules, a large number of respondents expressed an interest in reducing the incidence of prison-related problems like prison overcrowding and in enhancing community-based approaches promoted in the Rules. Regarding the role of lawyers, a number of Governments admitted that they sought improvement in areas having to do with the protection of lawyers from the repercussions of defending and being associated with a client's cause in the discharge of official functions. Another

problematic aspect seemed to have been where lawyers did not have proper or full access to all information needed for cases. A serious problem seemed to have been the lack in many States of a special institute, training school or training section for the education or training of prosecutors. A number of States lacked a body to ensure that the promotion of prosecutors was based on objective criteria.

V. Concluding remarks

98. The Commission might wish to reconsider its approach and take stock of what has been accomplished thus far in the information-gathering process. As many as 12 mandated surveys have been conducted over a two-year period alone (1999-2000). The number of responses for each survey has been fairly adequate, with some surveys (for example, on the United Nations Declaration on Crime and Public Security, the International Code of Conduct for Public Officials, and the United Nations Declaration against Corruption and Bribery in International Commercial Transactions) already yielding comparatively higher response results. The amount of information gathered has been substantial. However, the methodological design, the mandated preparation of reports over three sessions alone (eighth to the tenth) and the effort of responding to questionnaires on the part of Member States might be seen as cumbersome.

99. It might be necessary to weigh the cost-benefit value of the resources, time and energy expended in the exercises against the output. It might appear opportune to consider whether the current system has exceeded its utility. All mandated surveys are nearing completion and will have been reported on by the eleventh session. There remains only one instrument or questionnaire and survey to be conducted, that on penal reform. Discontinuation of the current information-gathering system would make it possible to devote time and resources to promoting interfaces between the body of standards and norms, non-binding instruments, and the new binding instruments (conventions and protocols), as outlined above. Interfacing and mutual reinforcement between the body of non-binding and binding instruments in the field of crime prevention and criminal justice and in other relevant fields of United Nations competence and activity (for example, human rights, children's rights, women's rights, refugees and labour) are essential to enhance the impact of the United Nations. This has to do not only with the development and advancement of an integrated United Nations criminal policy, but also with the use, application and impact of the relevant instruments and the consistent dissemination of information about United Nations policy and standards to the field.

100. Indeed, non-binding instrumentation has invited reform and brought about sweeping changes over the years, across legal systems, so as to upgrade and strengthen the capacity of criminal justice systems and professionals to deter crime in accordance with United Nations standards. This process has created a normative support system and framework within which to sustain and facilitate implementation of binding instruments, in particular, the United Nations Convention against Transnational Organized Crime and the protocols thereto. In that connection, the Commission may wish to identify new priorities, for example, in the gathering and analysis of data, with a view to preparing for implementation of the binding instruments.

101. The Commission might wish to assess the mandated approach and modus operandi for standard-setting and monitoring, as well as the outcome and impact of those processes thus far. The Commission might wish in particular to consider the number of reports required under the standing item of its agenda on standards and norms.

102. In that regard, the focus of attention might be given, in the first instance, to consolidation of mandated work and reporting obligations, inclusive of surveys, and to keeping them to a strict minimum. One possible option would be to request consolidated reporting obligations, in terms of selecting the clusters of standards and norms (outlined above) deemed most in need of special attention. In that scenario, follow-up activities would be focused on clusters of cross-cutting issues, areas, sectors or professions, rather than on individual instruments. Such an approach would also allow scope for more comprehensive gathering of data on both non-binding and binding instruments. The Secretariat might be requested to gather information on the use and application of norms and standards, including relevant provisions in the United Nations Convention against Transnational Organized Crime and the protocols thereto, concerning, for example, victims, prosecution or sanctioning.

Notes

[1] *Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August-7 September 1990: report prepared by the Secretariat* (United Nations publication, Sales No. E.91.IV.2), chap. I, sect. B.3, annex.

[2] *Eighth United Nations Congress ...*, chap. I, sect. C.26, annex.

[3] *Official Records of the Economic and Social Council, 2000, Supplement No. 10* (E/2000/30), chap. V, para. 37.

[4] Ibid.

[5] These included General Assembly resolutions 46/152, of 18 December 1991, and 48/137, of 20 December 1993, and Council resolutions 1975 (LIV), of 16 May 1973, 1990/51, of 24 July 1990, 1992/22, of 30 July 1992, 1993/34, of 27 July 1993, 1994/18, of 25 July 1994, 1995/13 and 1995/41, of 24 July 1995, 1996/16, of 23 July 1996, 1997/32 and 1997/36, of 21 July 1997, and 1998/21, of 28 July 1998.

[6] They further indicated the work to be undertaken by the Secretary-General in that regard and addressed ways and means of improving coordination and other procedures with all those concerned (for example, 1997/30, of 21 July 1997, 1997/32 and 1993/34).

[7] *Compendium of United Nations Standards and Norms in Crime Prevention and Criminal Justice* (United Nations publication, Sales No. E.92.IV.1).

[8] See *Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Vienna, 10-17 April 2000: report prepared by the Secretariat* (United Nations publication, Sales No. E.00.IV.8), chap. I.

[9] See the following paragraphs of the Declaration: 22, on effective implementation of United Nations standards and norms; 11 and 12, on gender mainstreaming; 20 and 21, on racism and related forms of intolerance; 24, on juvenile justice reform; 26, on prison reform; 27, on victims; and 28, on restorative justice.

[10] See *Official Records of the Economic and Social Council ...*, chap. VI, para. 49.

[11] *Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15-26 July 1985* (United Nations publication, Sales No. E.85.IV.10), chap. I, sect. A.

[12] A/CONF.177/20, chap. I, resolution 1, annex I.

[13] See *First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Geneva, 22 August-3 September 1955: report prepared by the Secretariat* (United Nations publication, Sales No. 1956.IV.4), annex I.A.

[14] See *Compendium of United Nations Standards and Norms ...*, part one, sect. C, p. 105.

[15] See A/CONF.187/15, chap. VI.

Annex

United Nations surveys, 1999-2001, by international instrument or subject matter

Questionnaire on relevant instrument or subject matter	*Governments replying to questionnaire*	*Number of Governments submitting replies*
United Nations Declaration on Crime and Public Security	Algeria, Angola, Australia, Austria, Belarus, Bulgaria, Croatia, Czech Republic, Estonia, Finland, Germany, Greece, Iceland, Iraq, Ireland, Japan, Jordan, Kuwait, Madagascar, Mongolia, Morocco, New Zealand, Norway, Philippines, Poland, Portugal, Qatar, Republic of Korea, Slovakia, South Africa, Swaziland, Sweden, Syrian Arab Republic, Tajikistan, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland and United States of America	37
United Nations Declaration against Corruption and Bribery in International Commercial Transactions	Algeria, Argentina, Austria, Belarus, Brazil, Brunei Darussalam, Bulgaria, Cameroon, Canada, Colombia, Costa Rica, Croatia, Czech Republic, Germany, Greece, Guatemala, Guyana, Iraq, Italy, Japan, Kazakhstan, Lebanon, Lithuania, Luxembourg, Mali, Malta, Mauritius, Myanmar, New Zealand, Niger, Nigeria, Norway, Panama, Peru, Poland, Saudi Arabia, Singapore, Slovenia, South Africa, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, United Arab Emirates, United Kingdom and Yemen	45
International Code of Conduct for Public Officials	Algeria, Angola, Antigua and Barbuda, Argentina, Bangladesh, Belarus, Belgium, Bolivia, Brunei Darussalam, Canada, Central African Republic, Chile, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czech Republic, Dominican Republic, Ecuador, Egypt, El Salvador, Finland, Germany, Greece, Guatemala, Guyana, Haiti, Hungary, Iraq, Italy, Japan, Lebanon, Lithuania, Malaysia, Mali, Malta, Mexico, Myanmar, New Zealand, Norway, Panama, Peru, Poland, Qatar, Republic of Korea, Saudi Arabia, Slovenia, South Africa, Sweden, Switzerland, Thailand and Uruguay	53

Questionnaire on relevant instrument or subject matter	*Governments replying to questionnaire*	*Number of Governments submitting replies*
Capital punishment	Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahrain, Barbados, Belarus, Belgium, Brazil, Bulgaria, Canada, Cameroon, Chile, Colombia, Comoros, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Ecuador, El Salvador, Eritrea, Estonia, Fiji, Finland, Germany, Greece, Hungary, Iceland, Indonesia, Iraq, Ireland, Italy, Japan, Kazakhstan, Lebanon, Liechtenstein, Lithuania, Malta, Mexico, Morocco, Mozambique, Myanmar, New Zealand, Niger, Norway, Peru, Poland, Rwanda, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, The former Yugoslav Republic of Macedonia, Togo, Turkey, United Kingdom, United States and Uruguay	63
Basic Principles on the Role of Lawyers	Algeria, Antigua and Barbuda, Australia, Austria, Bahrain, Belarus, Cameroon, Chad, Czech Republic, Cyprus, Dominican Republic, Egypt, El Salvador, Estonia, Guatemala, Japan, Kazakhstan, Latvia, Lithuania, Malaysia, Malta, Mexico, Morocco, Myanmar, Norway, Peru, Poland, Portugal, Qatar, Republic of Korea, Senegal, Singapore, Slovakia, Slovenia, Spain, Sweden, Switzerland and United States	38
Basic Principles on the Role of Prosecutors	Algeria, Antigua and Barbuda, Argentina, Armenia, Australia, Belarus, Belgium, Brunei Darussalam, Cyprus, Czech Republic, Dominican Republic, El Salvador, Estonia, Greece, Guinea, Honduras, Iceland, Japan, Kazakhstan, Kyrgyzstan, Lebanon, Lesotho, Lithuania, Malaysia, Malta, Mauritius, Mexico, Myanmar, New Zealand, Nigeria, Pakistan, Peru, Poland, Portugal, Qatar, Singapore, Slovakia, Slovenia, Spain, South Africa, Sweden, Switzerland, Syrian Arab Republic, Thailand, Trinidad and Tobago, United States, Venezuela and Zambia	48
United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules)	Algeria, Antigua and Barbuda, Australia, Austria, Bahrain, Belarus, Belgium, Bolivia, Canada, Cuba, Cyprus, Estonia, Greece, Iceland, Italy, Japan, Kuwait, Latvia, Malta, Mauritius, Mexico, Morocco, Myanmar, Niger, Norway, Peru, Poland, Portugal, Qatar, Republic of Korea, Rwanda, Saudi Arabia, Senegal, Slovakia, Slovenia, Sweden, Thailand, Turkey, United Arab Emirates, United Kingdom and United States	41

Questionnaire on relevant instrument or subject matter	*Governments replying to questionnaire*	*Number of Governments submitting replies*
Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice	Argentina, Azerbaijan, Belarus, Cameroon, Costa Rica, Czech Republic, France, Germany, Japan, Malta, Peru, Philippines, Qatar, Spain, Sweden and United States	16
Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power	Belarus, Denmark, Germany, Ireland, Malta, Mexico, Peru, Qatar, Sweden and Turkey	10
Elements of responsible crime prevention	Canada, Czech Republic, Finland, Sweden and Turkey	5
Restorative justice and mediation	Argentina, Australia, Belgium, Bolivia, Bulgaria, Canada, Costa Rica, Croatia, Denmark, Fiji, Germany, Ireland, Italy, Japan, Malaysia, Norway, New Zealand, Pakistan, Peru, Philippines, Qatar, Sierra Leone, South Africa, Turkey and Saudi Arabia	25
Juvenile justice reform	Replies submitted by organizations only	–